

Revised

Aug 9, 2006

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DESIGN STANDARDS & MIXED USE SUBCHAPTER

Austin, Texas



AUGUST 4, 2006

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BASED ON THE MAY 2005 TASK FORCE REPORT:
Raising the Design Standards in Austin, Texas

DESIGN STANDARDS AND MIXED USE SUBCHAPTER

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BACKGROUND

On February 26, 2004, the Austin City Council directed the City Manager by resolution "...to prepare recommendations for citywide design standards for commercial and retail development. These recommended citywide design standards shall constitute the best practices of the standards adopted by communities around the nation and shall require design standards that reflect Austin's unique historic, landscape and architectural character...."

In order to implement the Council's direction, a specially appointed Task Force met over several months to consider research and input from the public, various stakeholder groups, and individuals. The Task Force sought to understand the preferences of Austin citizens and the design regulations of other cities prior to developing a recommendation.

The Task Force produced, and in May 2005 the City Council adopted, a policy report entitled *"Raising the Design Standards in Austin, Texas."* The Task Force report identified a number of areas where regulatory improvements are necessary in order to raise the bar of development quality in Austin. The general intent was to develop regulations that will foster a built environment of aesthetic and sustainable value, enhance economic development efforts, promote Austin's unique character and natural environment, and ensure an efficient development review process.

The proposals for new standards were intended to raise the level of quality for all non-residential and mixed-use development, but within a regulatory structure offering options and flexibility, not strict requirements. New development would be subject to a set of minimum site and building design standards, recognizing that all new development, regardless of size, should be subject to minimum standards. The following topics were addressed in the Task Force report:

- Development orientation;
- Parking;
- Land use;
- Signs;
- Stormwater management;
- Connectivity;
- Exterior lighting;
- Screening and compatibility; and
- Building design.

In each of these topic areas, the Task Force report discussed the key issue generally and proposed regulatory language to address the issue. In a few areas, specific ordinance language was proposed, but in most areas the proposed language recommended general approaches rather than actual ordinance language. In some areas, the proposed new standards would be new for Austin, while in other areas the proposed standards would require amendments to the Austin Code.

This Subchapter is intended to implement the Task Force report by establishing a clear, user-friendly, and legally enforceable ordinance that will result in improved development quality in Austin. This Subchapter is officially known as Subchapter E of Chapter 25-2 of the City Code. This Subchapter was adopted on [REDACTED] and will become effective on [REDACTED]. The Task Force recommends reviewing this Subchapter once it has been in place for one year.




HOW TO USE THIS SUBCHAPTER

Applicability is Based on Adjacent Roadway and Type of Development

This Subchapter recognizes that development should reflect and respond to its location within the city. For example, a commercial development in a suburban location can (and often should) look and function differently than a commercial development in downtown Austin. Because roadways provide both access to a site and define the urban design framework of the city, roadway types have been used as an organizing tool to establish many of the new development standards in this Subchapter. This approach is intended to help ensure a cohesive development pattern along Austin's streets and remove some of the inconsistency that arises from having a variety of zoning districts fronting a single roadway.

Because many of the standards in this Subchapter are defined based on roadway type(s) near the property, an important first step in the development process is to determine the roadway types that are adjacent to a site. The size of the site and the type of development (residential, commercial, mixed use, etc.) also need to be considered, since different standards may apply. The applicability chart in Article 1 summarizes the applicability of all the standards in this Subchapter, based on type of adjacent roadways and development activity.

The following different types of roadways are identified in this Subchapter:



Core Transit Corridors include roadways that have or will have a sufficient population density, mix of uses, and transit facilities to encourage and support transit use. Existing Core Transit Corridors have been designated and are defined in Article 5 and shown on Figure 1. Examples include South Congress Avenue (north of Stassney Lane) and Anderson Lane (between Burnet Road and Mopac). Additional Core Transit Corridors may be designated in the future through neighborhood planning processes.

Hill Country Roadways include FM 2222, FM 2244, FM 620, Loop 360, and Southwest Parkway. Standards in this Subchapter that reference the Hill Country Roadway designation apply to all properties within 1000 feet of these roadways.

Highways include all freeways, parkways, expressways, and frontage roads identified in the Austin Area Metropolitan Transportation Plan, except for Core Transit Corridors.

Internal Circulation Routes are public streets or private drives edged by a curb within a development.

Suburban Roadways are roads outside the Urban Roadway Boundary, defined below and shown on Figure 2, that are not Core Transit, Hill Country, or Highway Roadways.



Urban Roadways are roads other than those designated as Core Transit Corridors and Highways located within the following boundaries, as shown on Figure 2:

- 183 from Burnet to Hwy 71
- Hwy 71 from 183 to Loop 1
- Loop 1 from Hwy 71 to Lake Austin
- Lake Austin from Loop 1 to Exposition
- Exposition from Lake Austin to 35th
- 35th from Exposition to Loop 1
- Loop 1 from 38th to RM 2222
- RM2222 from Loop 1 to Mesa
- Mesa from RM 2222 to Spicewood Springs Road
- Spicewood Springs Road from Mesa to 360
- 360 from Spicewood Springs Road to Great Hills Trail
- Great Hills Trail from 360 to 183
- 183 from Great Hills Trail to Braker
- Braker from 183 to Burnet
- Burnet from Braker to 183

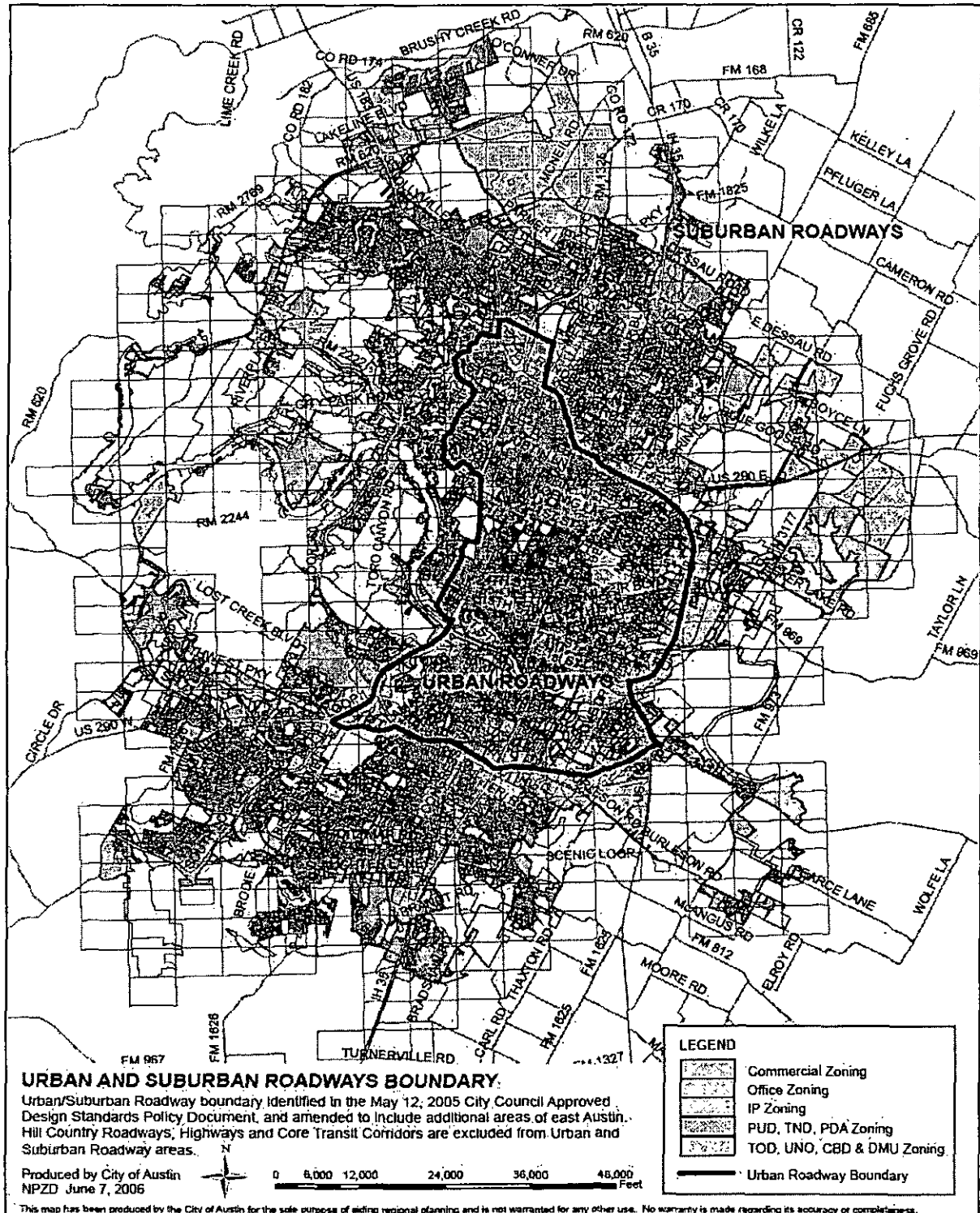


Figure 2: Urban/Suburban Roadways Map

How This Subchapter is Organized

This Subchapter is divided into five Articles.

Article 1 includes **General Provisions** that should be reviewed for all development and redevelopment projects. Most importantly, a chart summarizes the applicability of the various standards based on roadway types and development types.

To allow flexibility in administering this Subchapter, this Article includes a “minor modification” provision that allows for City staff to approve small deviations from otherwise applicable standards in order to protect natural or historic features or to address unique site conditions.

The Article also encourages creativity and innovative design by allowing an applicant to propose an alternative approach to meeting the standards of the Subchapter through the “alternative equivalent compliance” provision.

Article 2 includes **Site Development Standards** intended to ensure that buildings relate appropriately to surrounding developments and streets, promote efficient pedestrian and vehicle circulation, and provide adequate parking in safe and appropriate locations, while creating a unique and identifiable image for development in Austin. In particular, standards in this Article address the following:

- Relationship of buildings to streets and walkways (based on roadway type);
- Connectivity (based on roadway type);
- Parking;
- Exterior lighting;
- Screening of equipment and utilities; and
- Private common open space and pedestrian amenities.

Article 3 includes **Building Design Standards** intended to address the physical appearance of buildings subject to this Subchapter. Included are:

- General requirements for glazing and shading to ensure that buildings facades are pedestrian-friendly; and
- Additional options to improve building design. An applicant may choose which of these options to meet from a flexible, point-based menu. All buildings subject to this section must reach a minimum number of points, with additional points required for certain building types (e.g., buildings with trademarked design features, large buildings or long facades, and buildings using a large percentage of certain building materials.)

Article 4 includes standards and incentives for **Mixed Use** development. This Article includes descriptions and standards for the Mixed Use Combining District and the Vertical Mixed Use Overlay district. This Article also includes standards and incentives for the development of Vertical Mixed Use (VMU) buildings.

Article 5 includes **Definitions** for terms used in this Subchapter.

ARTICLE 1: GENERAL PROVISIONS

1.1. GENERAL INTENT

This Subchapter generally addresses the physical relationship between commercial and other non-residential development and adjacent properties, public streets, neighborhoods, and the natural environment, in order to implement the City Council's vision for a more attractive, efficient, and livable community. The general purposes of this Subchapter include:

- 1.1.1. To provide appropriate standards to ensure a high quality appearance for Austin and promote pedestrian-friendly design while also allowing flexibility, individuality, creativity, and artistic expression;
- 1.1.2. To strengthen and protect the image, identity, and unique character of Austin and thereby to enhance its business economy;
- 1.1.3. To protect and enhance residential neighborhoods, commercial districts, and other areas by encouraging physical development that is of high quality and is compatible with the character, scale, and function of its surrounding area;
- 1.1.4. To encourage developments that relate well to adjoining public streets, open spaces, and neighborhoods; and
- 1.1.5. To provide for and encourage development and redevelopment that contains a compatible mix of residential and nonresidential uses within close proximity to each other, rather than separating uses.

1.2. APPLICABILITY

1.2.1. General Applicability

The applicability of this Subchapter varies by section and is dependent on the type of principal street that the subject lot or site faces and on the type of development activity proposed. The following table summarizes the applicability of each section of this Subchapter. Only those sites and projects that meet both the principal street and development type thresholds in the table are subject to the particular standard. General exemptions from the requirements of this Subchapter are listed in Subsection 1.2.3. below, and additional exemptions from specific standards are listed in subsequent sections of this Subchapter.

Section	Standard	Applies if the Principal Street Is:	Applies to the Following:
ARTICLE 2: SITE DEVELOPMENT STANDARDS			
2.2: Relationship of Buildings to Streets and Walkways	2.2.2. Core Transit Corridors: Sidewalks and Building Placement	Core Transit Corridor	- All zoning districts - Single-family residential uses are exempt, in addition to the general exemptions in Section 1.2.3.
	2.2.3. Urban Roadways: Sidewalks and Building Placement	Urban Roadway	All non-residential zoning districts
	2.2.4. Suburban Roadways: Sidewalks and Building Placement	Suburban Roadway	All non-residential zoning districts
	2.2.5. Internal Circulation Routes: Sidewalks and Building Placement	Internal Circulation Route	All non-residential zoning districts (development of any site subject to the internal circulation system requirements in Section 2.3.1.)
	2.2.6. Building Entryways	Core Transit Corridor	All zoning districts
2.3: Connectivity	2.3.1: Internal Circulation Systems for Large Sites	- Core Transit Corridor - Urban Roadway	- All zoning districts (development of any site five acres or larger) - See additional exemptions in 2.3.1.B.
		- Suburban Roadway - Highway - Hill Country Roadway	- All non-residential zoning districts (development of any site five acres or larger) - See additional exemptions in 2.3.1.B.
	2.3.2. Improvements to Encourage Pedestrian, Bicycle, and Vehicular Connectivity	All roadway types	- Projects with a net site area of three acres or more in all non-residential zoning districts - Projects with a net site area of less than three acres that have parking between the building and the street in all zoning districts
2.4: Parking Reductions	All standards	All roadway types	All non-residential zoning districts
2.5: Exterior Lighting	All standards	All roadway types	All zoning districts
2.6: Screening of Equipment and Utilities	All standards	All roadway types	- All non-residential zoning districts - The following uses are exempt, in addition to the general exemptions of Section 1.2.3.: local utilities services use, electric service transformers within the right-of-way, antenna
2.7: Private Common Open Space and Pedestrian Amenities	All standards	All roadway types	All site plans five acres in size or larger

Section	Standard	Applies if the Principal Street Is:	Applies to the Following:
ARTICLE 3: BUILDING DESIGN STANDARDS			
3.2: Pedestrian Frontages	All standards	All roadway types	<ul style="list-style-type: none"> - Development of any commercial or civic land use - Section applies to any building frontage visible and accessible to the public. Building facades facing loading areas, rear service areas, or facades adjoining other buildings (attached to more than 50 percent of the sidewall) are exempt.
3.3: Options to Improve Building Design	All standards	All roadway types	<ul style="list-style-type: none"> - Development of any commercial use of 10,000 square feet or more that requires a building permit - Development of any commercial use of less than 10,000 square feet that contains any exterior trademarked design features - Any building zoned for industrial use or warehouse use at the point its use is converted to commercial - VMU buildings with external trademarked design features (not including signs) - Office development is exempt from this section
ARTICLE 4: MIXED USE			
4.3.: Vertical Mixed Use Building	All standards	Core Transit Corridor, Future Core Transit Corridor	<ul style="list-style-type: none"> - Mixed Use Combining District - Vertical Mixed Use Overlay District
		Highway, Hill Country Roadway, Suburban Roadway, or Urban Roadway	<ul style="list-style-type: none"> - Mixed Use Combining District - Sites of three acres or more, subject to 4.3.2.B.

1.2.2. New Construction, Redevelopment, and Major Rehabilitation

Unless exempted in Section 1.2.3. below, if a particular standard of this Subchapter is applicable to development on a particular site based upon the table above, then that standard shall be applicable to the following activity:

- A. New construction; and
- B. Redevelopment or major rehabilitation, which for purposes of this Subchapter shall include any project that will, combined with all other redevelopment or rehabilitation of the site that has occurred since the effective date of this Subchapter:
 - 1. For sites of less than one acre, generate 1,000 vehicle trips or more per day above the estimated trip level on the effective date of this Subchapter, and for sites of one acre or more, generate 2,000 vehicle trips or more per day above the estimated trip level on the effective date of this Subchapter; or
 - 2. Increase the site's impervious cover by 25 percent or more beyond the amount of impervious cover existing on the effective date of this Subchapter.

1.2.3. Exemptions¹

A. General Exemptions

The following types of development are exempt from the requirements of this Subchapter:

- 1. Development that does not require a site plan under Chapter 25-5;
- 2. Development in the following zoning districts:
 - a. Agricultural (AG) district;
 - b. Aviation (AV) district; and
 - c. Traditional neighborhood (TN) district;
- 3. Development built pursuant to the overlay district provisions of the university neighborhood overlay (UNO) district;
- 4. Development built pursuant to an adopted transit station area plan;
- 5. Development built pursuant to the Robert Mueller Municipal Airport Redevelopment Plan;
- 6. Development of an industrial use; and
- 7. Interior remodeling of a building.

B. Exemption for Restaurant Redevelopment

In the case of the redevelopment of a pad site building in which the existing principal use is a restaurant and the proposed new principal use will continue to be a restaurant

¹ NOTE: Based upon discussions with staff and our review of the Austin Code, we suggest exempting the TN and UNO districts in order to respect the tailored design standards that already have been negotiated in those districts by various developers, neighborhood groups, and others. We also suggest exempting AG, which we assume is scarce in Austin. Staff suggests exempting AV.

operated by the same owner/family, corporation, or buyer, the owner/family, corporation, or buyer may rebuild the building to match its existing site configuration, even though that configuration may not fully comply with the building location standards of this Subchapter. In such cases, new sidewalks must be provided that comply with the sidewalk (but not the building location) requirements of Section 2.2 of this Subchapter unless compliance is impracticable due to site constraints, in the determination of the Director. In addition, the rebuilt building must comply with the standards in Article 3, *Building Design Standards*, of this Subchapter, and also Subchapter G, *Landscape Regulations*, and Chapter 25-10, *Signs*.

C. Exemption for Downtown Sidewalks

Development on all streets in the downtown area is exempt from the sidewalk standards of Section 2.2. of this Subchapter, and instead is encouraged to comply with the sidewalk standards of the Great Streets Development Program. Development on all streets in the downtown area is subject to all other applicable provisions of this Subchapter except the sidewalk standards.

1.2.4. Conflicting Provisions

- A. If the provisions of this Subchapter are inconsistent with provisions found in other adopted codes, ordinances, or regulations of the City of Austin not listed in Subsection B. below, this Subchapter shall control unless otherwise expressly provided.
- B. The following provisions supersede the requirements of this Subchapter to the extent of conflict:³
 - 1. The following provisions of Chapter 25-2:
 - a. Subchapter C, Article 3 (*Additional Requirements for Certain Districts*);
 - b. Subchapter C, Article 4 (*Additional Requirements for Certain Uses*);
 - c. Subchapter C, Article 10 (*Compatibility Standards*);
 - d. Section 25-2-1023 (*Roadway Vegetative Buffer*);
 - e. Section 25-2-1025 (*Natural Area*);
 - f. Section 25-2-1121 (*Intensity Zones*);
 - g. Section 25-2-1122 (*Floor-to-Area Ratio of a Nonresidential Building*);
 - h. Section 25-2-1123 (*Construction on Slopes*);
 - i. Section 25-2-1124 (*Building Height*); and
 - 2. Regulations applicable to a:
 - a. Barton Springs Zone overlay district;
 - b. Conditional overlay (CO) combining district;
 - c. Central urban redevelopment (CURE) combining district;
 - d. Neighborhood conservation (NC) combining district;

³ NOTE: This provision recognizes the specially negotiated districts that may have their own design standards.

- e. Neighborhood plan (NP) combining district;
- f. Planned development area (PDA) combining district;
- g. Planned unit development (PUD) district; or
- h. Waterfront overlay (WO) district (except that the redevelopment provisions of this Subchapter in Sections 2.3.1, *Internal Circulation Systems for Large Sites*, and 4.3., *Vertical Mixed Use Buildings*, shall apply to the WO district).

- 3. Administration and enforcement of this Subchapter shall comply with all applicable state and federal accessibility statutes and regulations.

1.2.5. State and Federal Facilities

Compliance with the standards of this Subchapter at all state and federal facilities is encouraged.

1.3. REVIEW PROCESS

1.3.1. Standards Applicable During Site Plan Review

The standards contained in the following sections of this Subchapter shall be applied in the normal review process for site plans as set forth in Chapter 25-5 of the Austin Code:

- A. Section 2.2, *Relationship of Buildings to Streets and Walkways*,
- B. Section 2.3, *Connectivity*,
- C. Section 2.4, *Parking*,
- D. Section 2.5, *Exterior Lighting (for fixtures not affixed to buildings)*,
- E. Section 2.6, *Screening of Equipment and Utilities (for fixtures not affixed to buildings)*,
- F. Section 2.7, *Private Common Open Space and Pedestrian Amenities*, and
- G. Article 4, *Mixed Use*.

In addition to meeting the review criteria specified in Chapter 25-5, each site plan application shall evidence compliance with the standards listed above.

1.3.2. Standards Applicable During Building Permit Review

The standards contained in the following sections of this Subchapter shall be applied in the normal review process for building permits as set forth in Chapter 25-11 of the Austin Code:

- A. Section 2.5, *Exterior Lighting (for fixtures affixed to buildings)*,
- B. Section 2.6, *Screening of Equipment and Utilities (for fixtures affixed to buildings)*, and,

C. Article 3, *Building Design Standards*.

In addition to meeting the review criteria specified in Chapter 25-11, each building permit application shall evidence compliance with the standards listed above.

1.4. MINOR MODIFICATIONS⁴

1.4.1. Purpose and Scope

"Minor modifications" are small deviations from otherwise applicable standards of this Subchapter that may be approved by the Director in order to protect natural or historic features or to address unusual site conditions. Minor modifications are to be used when the limited nature of the modification requested, and the unlikelihood of any adverse effects on nearby properties or the neighborhood, make it unnecessary to complete a formal variance process.

1.4.2. Applicability

The Director may approve minor modifications of up to a maximum of ten percent (or up to a maximum of 20 percent to protect an existing natural site feature) from any numeric development standard in this Subchapter, provided that the applicable Approval Criteria below are met. The minor modification process may be used only to authorize a less restrictive standard and may not be used to impose a standard on the subject property than is higher than otherwise provided in this Subchapter. In no circumstance shall the Director approve a minor modification that results in:

- A.** An increase in overall project intensity, density, or impervious cover;
- B.** A change in permitted uses or mix of uses;
- C.** A change in the requirements of any of the following provisions:
 - 1. Subchapter C, Article 3 (*Additional Requirements for Certain Districts*);
 - 2. Subchapter C, Article 4 (*Additional Requirements for Certain Uses*);
 - 3. Subchapter C, Article 10 (*Compatibility Standards*); or
- D.** A change in conditions attached to the approval of any subdivision plan, site plan, or special use.

1.4.3. Procedure

The Director may initiate or approve a minor modification allowed under this section at any time prior to submittal of the staff report on the application to another decision-

⁴ NOTE: This is intended to implement DO-7 from the policy report. However, as discussed in the Diagnosis, this proposed text broadens the authority for minor modifications to all standards in this Ordinance. Also, the proposed text does not carry forward the policy report's list of natural features that can be protected using this tool. Instead, the text emphasizes how and why the modification authority may be used, rather than trying to list all the unusual features that might trigger the need for a modification.

making body or prior to final decision if the Director is the final decision-maker. The Director shall specify any approved minor modifications and the justifications for such modifications on the pending development application for which the modifications were sought.

1.4.4. Approval Criteria

The Director may approve a minor modification from the terms of this Subchapter only upon finding that the modification meets all of the criteria below:

- A. The requested modification is in general conformity with the stated purposes of this Subchapter;
- B. The requested modification meets all other applicable zoning, building, drainage, water quality, and safety code requirements;
- C. The requested modification will have no significant adverse impact on the health, safety, or general welfare of surrounding property owners or the general public, or such impacts will be substantially mitigated; and
- D. The requested modification is necessary to compensate for some practical difficulty or some unusual aspect of the site of the proposed development not shared by landowners in general.

1.5. ALTERNATIVE EQUIVALENT COMPLIANCE⁵

1.5.1. Purpose and Scope

To encourage creative and original design, and to accommodate projects where the particular site conditions or the proposed use prevent strict compliance with this Subchapter, alternative equivalent compliance allows development to occur in a manner that meets the intent of this Subchapter, yet through an alternative design that does not strictly adhere to the Subchapter's standards. The procedure is not a general waiver of regulations. Alternative equivalent compliance shall not be used when the desired departure from the standards of this Subchapter could be achieved using the minor modification process in Section 1.4.

1.5.2. Applicability

The alternative equivalent compliance procedure shall be available only for the following sections of this Subchapter:

- A. Section 2.2, *Relationship of Buildings to Streets and Walkways*;
- B. Section 2.3, *Connectivity*;

⁵ NOTE: This implements DO-8 from the policy report. The city already has a similar provision in place for landscaping (Section 25-2-1001C).

C. Section 2.7, *Private Common Open Space and Pedestrian Amenities*; and

D. Article 3, *Building Design Standards*.

1.5.3. Procedure

The applicant may select at his or her discretion whether to seek an informal recommendation or a formal approval on a proposal for alternative compliance.

A. Option One: Informal Recommendation

1. Pre-Application Conference Required

If an applicant desires only an informal response and recommendation as to a proposal for alternative compliance, he or she shall request and attend a pre-application conference prior to submitting the site plan and/or building permit application for the development. At the conference, the applicant shall provide a written summary of the project and the proposed alternative compliance, and the Director shall offer an informal, non-binding response and recommendation regarding the appropriateness of the proposed alternative. Based on that response, the applicant may prepare a site plan and/or building permit application that proposes alternative compliance, and such application shall include sufficient explanation and justification, in both written and graphic form, for the alternative compliance requested.

2. Decision-Making Responsibility

Final approval of any alternative compliance proposed under this section shall be the responsibility of the decision-making body responsible for deciding upon the application. The final decision-making body for site plans is either the Director or the appropriate Land Use Commission, as specified in Chapter 25-5, and the building official for building permits.

B. Option Two: Formal Decision

1. Pre-Application Conference

If an applicant desires formal approval of a proposal for alternative compliance, he or she shall request and attend a pre-application conference prior to submitting the site plan and/or building permit application for the development.

2. Alternative Compliance Concept Plan Required

At least ten days prior to the pre-application conference, the applicant shall submit an alternative compliance concept plan application to the Director, which shall include:

- a. A written description of and justification for the proposed alternative method of compliance, specifically addressing the criteria in Section 1.5.4. below; and
- b. A concept plan that describes and illustrates, in written and graphic format, the intended locations and quantities of proposed buildings on the site, the layout

of proposed vehicle and pedestrian access and circulation systems, and areas designated to meet requirements for open space, parking, on-site amenities, utilities, and landscape. The concept plan shall describe the site's topography and shall provide a general description of environmental characteristics to assist in determining compliance with this Subchapter. If alternative compliance is requested from the standards of Article 3, *Building Design*, the concept plan also shall include descriptions and illustrations of the proposed building design elements that would not comply with the standards of this Subchapter.

3. Decision by Director

The Director shall review the concept plan for compliance with the criteria in Section 1.5.4. below and shall approve, approve with conditions, or deny the concept plan in writing.

4. Expiration of Alternative Compliance Concept Plans

- a. An approved alternative compliance concept plan shall expire if three years pass following its approval and no building permit that implements the concept plan has been issued.
- b. One, one-year extension may be issued by the Director provided that a written request has been received prior to the expiration of the concept plan, and the Director has determined that no major changes in the city's development standards, or changes in the development pattern of the surrounding properties, have occurred.

5. Effect of Approval

Written approval of an alternative compliance concept plan does not authorize any development activity, but rather authorizes the applicant to prepare a site plan and/or building permit application that incorporates the approved alternative compliance, and authorizes the decision-making body (either the Land Use Commission or the Director for site plans, and the building official for building permits) to review the site plan and/or building permit application for compliance with the alternative compliance concept plan, in addition to all other applicable requirements. The site plan and/or building permit application shall include a copy of the approved alternative compliance concept plan.

6. Amendments to Alternative Compliance Concept Plans

- a. Minor amendments to any approved alternative compliance concept plan may be approved, approved with conditions, or denied administratively by the Director. For purposes of this provision, minor amendments are those that do not result in:
 - (i) An increase of 10 percent or more in the amount of square footage of a land use or structure;
 - (ii) A change in the types of uses in the project;
 - (iii) An increase or decrease of 20 percent or more in the number of dwelling units in the project; or

(iv) A change that would bring the project out of compliance with any requirement or regulation set forth in the City Code outside this Subchapter unless a variance to or waiver from such requirement or regulation is obtained.

- b. Amendments that are not determined by the Director to be minor amendments under subsection a. above shall be deemed major amendments. The applicant may seek approval of a major amendment by re-submitting the original approved plan along with the proposed amendment to the Director for review in the same manner prescribed in subsection B.2. above.
- c. If any site plan and/or building permit application includes a major amendment from the terms of the approved concept plan that has not been approved by the Director, the concept plan shall be void and the application shall be reviewed for compliance with the standards of this Subchapter and all other applicable requirements.

1.5.4. Criteria

Alternative equivalent compliance may be approved only if the applicant demonstrates that the following criteria have been met:

- A. The proposed alternative achieves the intent of the subject Article of this Subchapter from which the alternative is sought; or
- B. The proposed alternative achieves the intent of the subject Article of this Subchapter from which the alternative is sought to the maximum extent practicable and is necessary because:
 - 1. Physical characteristics unique to the subject site (such as, but not limited to, slopes, size, shape, and vegetation) make strict compliance with the subject standard impracticable or unreasonable; or
 - 2. Physical design characteristics unique to the proposed use or type of use make strict compliance with the subject standard impracticable or unreasonable.

1.5.5. Effect of Approval

Alternative compliance shall apply only to the specific site for which it is requested and shall not establish a precedent for approval of other requests.

1.6. ADOPTION DATE AND EFFECTIVE DATE

The adoption date of this Subchapter is ---. The effective date of this Subchapter is ---.

ARTICLE 2: SITE DEVELOPMENT STANDARDS

2.1. INTENT

The standards of Article 2 are intended to use site planning and building orientation in order to:

- 2.1.1. Ensure that buildings relate appropriately to surrounding developments and streets and create a cohesive visual identity and attractive street scene;
- 2.1.2. Ensure that site design promotes efficient pedestrian and vehicle circulation patterns;
- 2.1.3. Ensure the creation of a high-quality street and sidewalk environment that is supportive of pedestrian and transit mobility and that is appropriate to the roadway context;
- 2.1.4. Ensure that trees, sidewalks, and buildings – three of the major elements that make up a streetscape – are arranged in a manner that supports the creation of a safe, human-scaled, and well-defined roadway environment;
- 2.1.5. Ensure that trees or man-made shading devices are used to create a pedestrian-friendly environment both alongside roadways and connecting roadside sidewalks to businesses;
- 2.1.6. Ensure that buildings relate appropriately to their roadway context, allowing for easy pedestrian access to buildings and providing well-defined edges to the roadway environment;
- 2.1.7. Ensure that building entranceways are convenient to and easily accessible from the roadside pedestrian system;
- 2.1.8. Provide opportunities for roadside uses that enliven and enrich the roadway and pedestrian environment, such as outdoor dining, porches, patios, and landscape features;
- 2.1.9. Ensure that vehicular parking is accommodated in a manner that enriches and supports, rather than diminishes, the roadside pedestrian environment, and that does not create a barrier between the roadside environment and the roadside buildings; and
- 2.1.10. Ensure that large sites are developed in a manner that supports and encourages connectivity and creates a cohesive visual identity and attractive street scene.

2.2. RELATIONSHIP OF BUILDINGS TO STREETS AND WALKWAYS

2.2.1. Overview of Roadway Types

In this Subchapter, roadway types are used as an organizing tool for certain development standards. In this Section 2.2, sidewalk, building placement, and streetscape standards and building entryway location are determined by the roadway type that is adjacent to the site. The following five roadway types are listed from highest to lowest priority for purposes of this Subchapter:

- A. Core Transit Corridor;
- B. Internal Circulation Route;
- C. Urban Roadway;
- D. Suburban Roadway; and
- E. Highway or Hill Country Roadway.

The roadway with the highest level of priority adjacent to the lot or site is considered the "principal street" for purposes of this Subchapter. For a lot or site that is adjacent to more than one roadway of equal priority, the development shall be subject to the standards associated with the roadway with the highest level of transit service, as determined by the Director, or if the roadways do not have transit service or the level of transit service is equal, the roadway designated by the lot owner.



Figure 3: Example of a Core Transit Corridor (South Congress)



Figure 4: Example of an Internal Circulation Route (Jefferson Center)

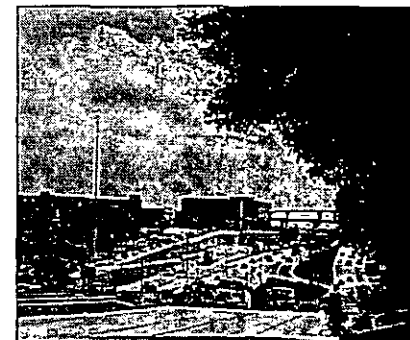


Figure 5: Example of a Highway (I-35)

2.2.2. Core Transit Corridors: Sidewalks and Building Placement⁷

A. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.2.2: Core Transit Corridors: Sidewalks and Building Placement	Core Transit Corridor	<ul style="list-style-type: none"> - All zoning districts - Single-family residential uses are exempt, in addition to the general exemptions in Section 1.2.3.

B. Sidewalks

In order to create an environment that is supportive of pedestrian and transit mobility, public sidewalks shall be located along both sides of all Core Transit Corridors. No sidewalk shall be less than 15 feet in width, unless otherwise approved as part of the site plan review process. The 15-foot minimum requirement shall apply regardless of the available right-of-way. Where required, the sidewalk shall extend onto private property to fulfill the 15-foot minimum requirement, with a sidewalk easement provided. Sidewalks shall consist of two zones: a street tree/furniture zone located adjacent to the curb, and a clear zone. (See Figures 6 - 8.) The following standards shall apply to these zones:



Figure 6: Street tree/furniture zone example

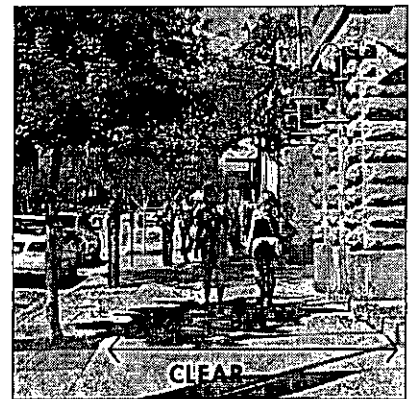


Figure 7: Clear zone example

⁷ NOTE: This section implements DO-2.

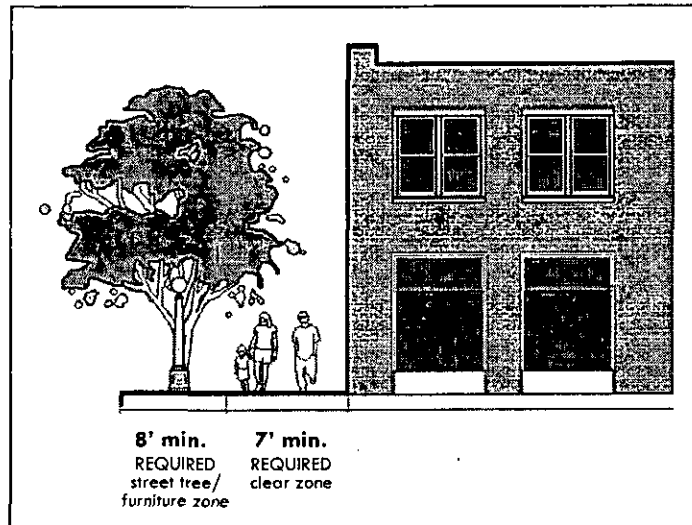


Figure 8: Core transit corridor sidewalk requirements. Street trees are required along core transit corridors with an average spacing not greater than 30 feet on center.

1. Street Tree/Furniture Zone

- a. The street tree/furniture zone shall have a minimum width of eight feet (from face of curb) and shall be continuous and located adjacent to the curb.
- b. The zone shall be planted with street trees at an average spacing not greater than 30 feet on center, or up to 60 feet on center with approval of the Director if parallel or head-in parking is provided pursuant to Section 2.2.2.B.5. The Director shall adopt a list of acceptable street trees for purposes of this section. The list shall emphasize shade trees; however, alternative trees may be approved where conflicts may arise because of overhead utility lines.
- c. In addition, the zone is intended for the placement of street furniture including seating, street lights, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public utility equipment such as electric transformers and water meters, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.

2. Clear Zone

The clear zone shall be a minimum width of seven feet, shall be hardscaped, shall be located adjacent to the street tree/furniture zone, and shall comply with ADA and Texas Accessibility Standards. The clear zone shall be unobstructed by any permanent or nonpermanent element for a minimum width of seven feet and a minimum height of eight feet. (See Figures 6 – 11.)

3. Utilities

- a. All utility lines shall be underground from the building to the property line. Utility lines within the right-of-way shall be placed underground or relocated to the rear of the site to the maximum extent practicable. See Figure 9.
- b. Where utilities remain overhead and are located behind the curb, an overhead utility zone shall be provided for a minimum of 10 feet from each side of the energized conductor. This overhead utility zone shall be in addition to the minimum street tree/furniture zone, clear zone, and supplemental zone (if provided). Options for street tree planting and sidewalk placement in combination with overhead utilities are illustrated in Figures 10 and 11.

Article 2: Site Development Standards
Section 2.2. Relationship of Buildings to Streets and Walkways
Subsection 2.2.2. Core Transit Corridors: Sidewalks and Building Placement

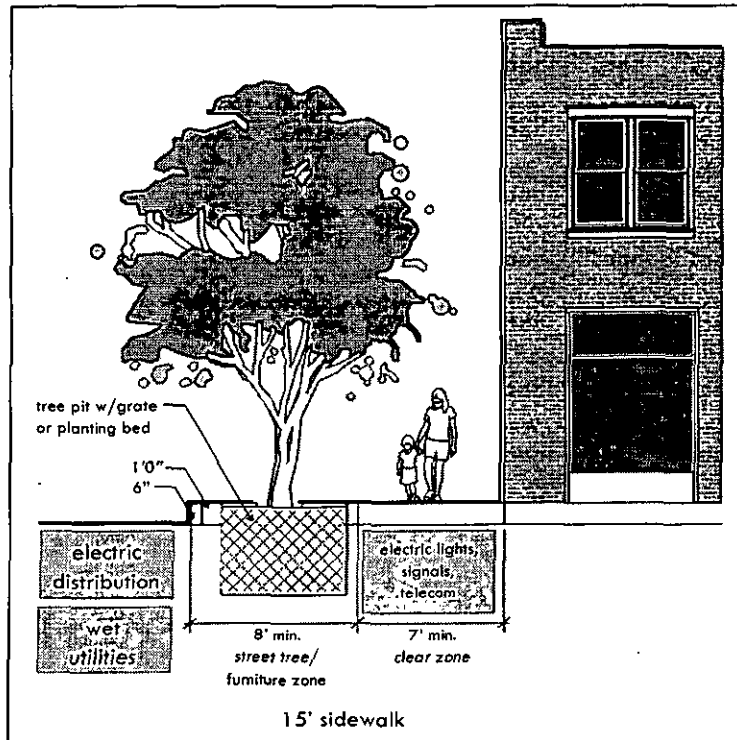


Figure 9: Core transit corridor with underground utilities.

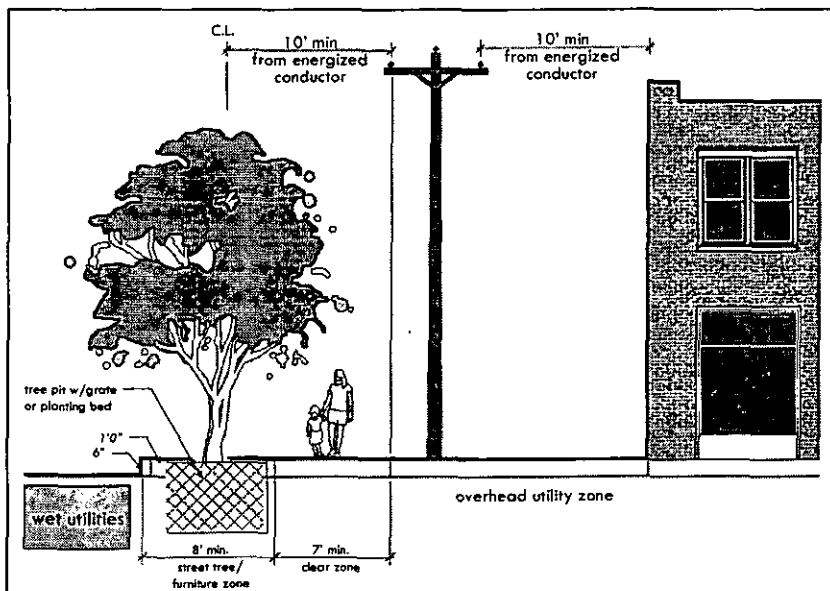


Figure 10: Core transit corridor with overhead utility zone.

Article 2: Site Development Standards
Section 2.2. Relationship of Buildings to Streets and Walkways
Subsection 2.2.2. Core Transit Corridors: Sidewalks and Building Placement

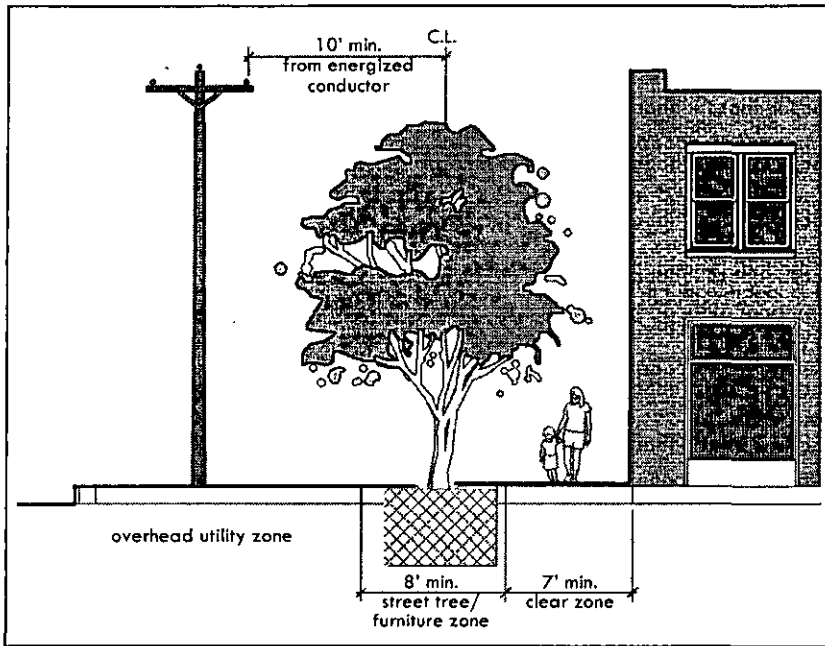


Figure 11: Core transit corridor with overhead utility zone at curb.

4. Alternative Requirements for Shallow Lots

On lots with a depth of 150 feet or less, the total sidewalk may be reduced to 12 feet, consisting of a seven-foot minimum street tree/furniture zone and a five-foot clear zone.

5. Alternative Requirements for On-Street Parallel and Head-in Parking⁸

At the option of the applicant and subject to the approval of the Director of Public Works (based on administrative criteria to be adopted), parallel or head-in parking may be provided in a cut-in inside of the existing curb line immediately abutting the development. The sidewalk requirements of this section shall continue to apply, with both a clear zone and street tree/furniture zone provided, the street tree/furniture zone placed adjacent to the curb at the inside of the parking spaces, and both zones meeting the requirements of subsections 1. and 2. above. (See Figure 12.)

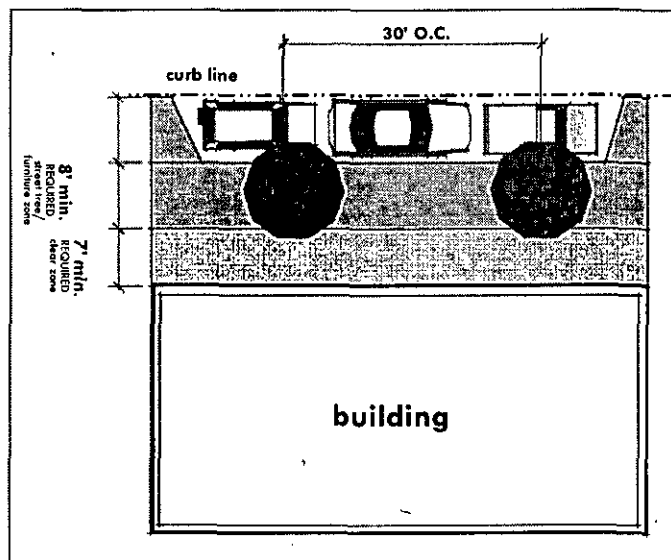


Figure 12: Optional parallel parking located inside of the existing curb line.

⁸ NOTE: This partially addresses the issue introduced in P-2 in the policy report ("On-Street Parking in the Public Right-of-Way.") Clear criteria are needed in this ordinance to guide the Director's decision. The staff's responses to the policy recommendations provide further guidance and limitations as to where such

C. Supplemental Zone (Optional)

A supplemental zone may be provided at the option of the applicant between the street-facing façade line and the required clear zone. (See Figure 13.) The following standards apply to supplemental zones:

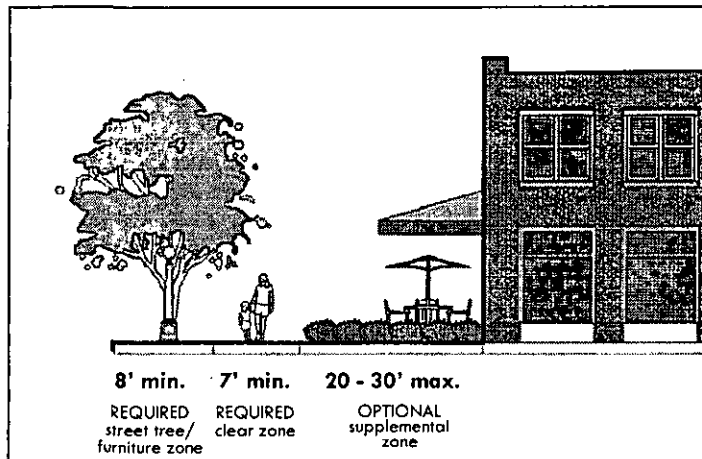


Figure 13: Core transit corridor with optional supplemental zone.

parking should be allowed. The city will need to do an on-the-ground planning evaluation to apply the criteria to specific roadways.

1. If a supplemental zone is provided, up to 30 percent of the linear frontage of the supplemental zone may be a maximum of 30 feet wide, and the remainder of the supplemental zone shall be a maximum of 20 feet wide. (See Figure 14.)

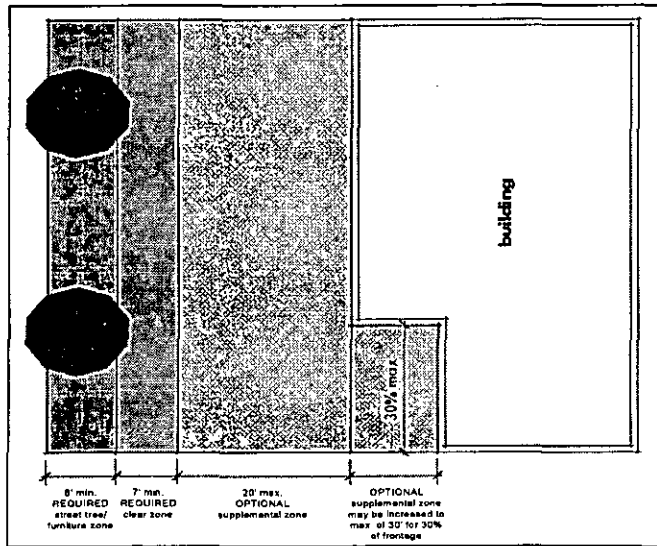


Figure 14: Optional supplemental zone may be expanded to 30 feet for a maximum of 30 percent of the frontage.

2. The following elements may be located within the supplemental zone:
 - a. Accessory outdoor dining, provided that the dining area may be separated from the sidewalk only with planters, shrubs, or fencing with a maximum height of 42 inches (See Figure 15.);
 - b. Balconies, pedestrian walkways, porches, handicap ramps, and stoops; provided, however, that no such feature shall extend beyond the supplemental zone without a license agreement;
 - c. Terraces, provided that they have a maximum finished floor height of 24 inches above the sidewalk elevation and shall be surrounded by a guardrail that meets city specifications;
 - d. Landscape and water features;
 - e. Plazas; and
 - f. Incidental display and sales.



Figure 15: Example of supplemental zone outdoor dining

3. Any features in the supplemental zone must not obstruct the open pedestrian connection between the building's primary entrance and the clear zone.

D. Building Placement

1. General Building Placement Standard

Notwithstanding the minimum setback requirements of the base zoning districts, at least 75 percent of the net frontage length of the property along the Core Transit Corridor must consist of continuous building façade built up to the clear zone, or the supplemental zone if one is provided. (See Figure 16.) For purposes of this Subchapter, "net frontage length" is defined in Article 5. This minimum net frontage length requirement shall not apply if the site qualifies for one of the exceptions in subsections 2., 3., 4., or 5. below.

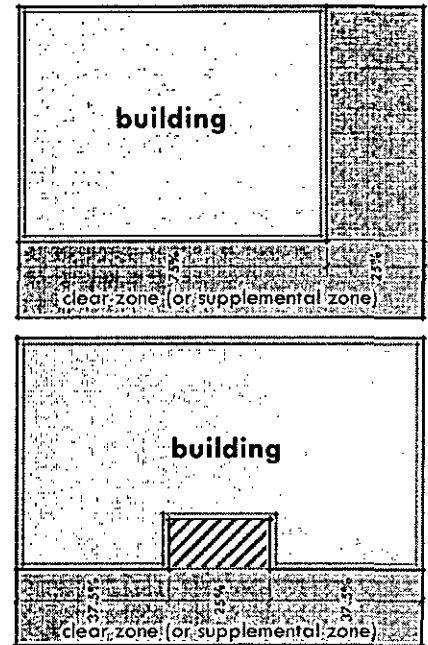


Figure 16: Examples of permitted building placement along core transit corridors. Parking is not permitted in the hatched area between the street-facing facade and the sidewalk.

2. Exception: Sites of Five Acres or More

If the lot or site is at least five acres in size and thus subject to the connectivity requirements in Section 2.3.1. of this Subchapter, no minimum net frontage length is required along the Core Transit Corridor. Instead, buildings shall meet the building placement requirements along the Internal Circulation Route in section 2.2.5. below. (See Figure 17.)

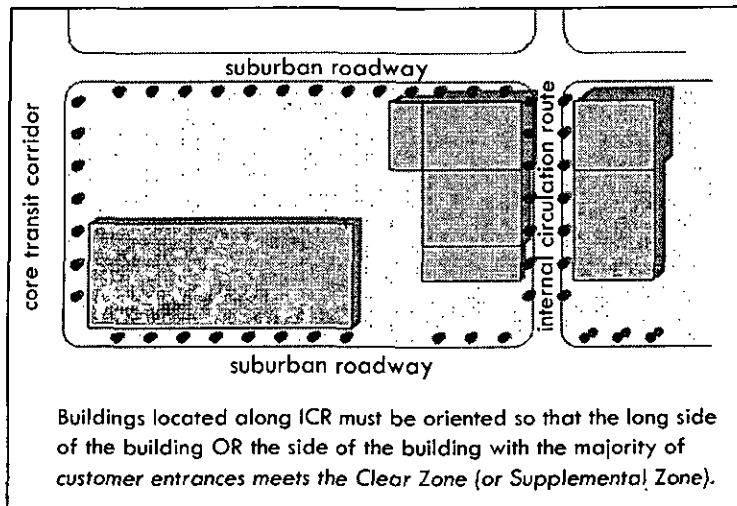


Figure 17: For sites of five acres or more, buildings may be located along the internal circulation route, instead of the core transit corridor.

3. Exception: Civic Buildings

In order to provide greater flexibility to create a distinctive architectural statement, civic buildings do not have to be built up to the clear zone (or supplemental zone if one is provided), so long as parking is not located between the building frontage facing the principal street and the street. (See Figure 18.)

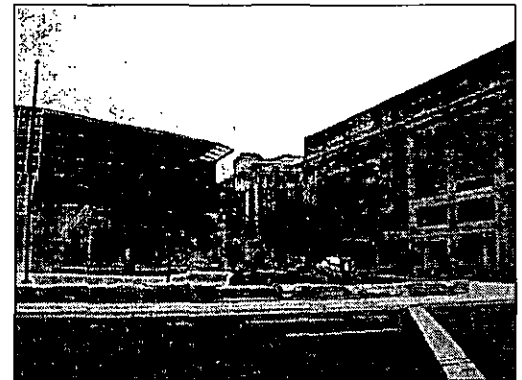


Figure 18: The Austin City Hall is set back from the street in some areas, while other non-civic buildings meet the street. This is a traditional urban design technique intended to emphasize the importance of civic uses.

4. Exception: Pad Building with Drive-In or Drive-Through

When a pad building with a drive-in or drive-through is only permitted a single curb cut, the pad building site may contain a circulation lane between the building and the curb, and the building behind the circulation aisle does not have to be brought to the clear zone (or supplemental zone). The circulation lane may not have parking and cannot be wider than 20 feet. An accessible and clearly marked walkway that crosses the circulation aisle may be provided to connect the clear zone and the building's principal entrance. (See Figure 19.)

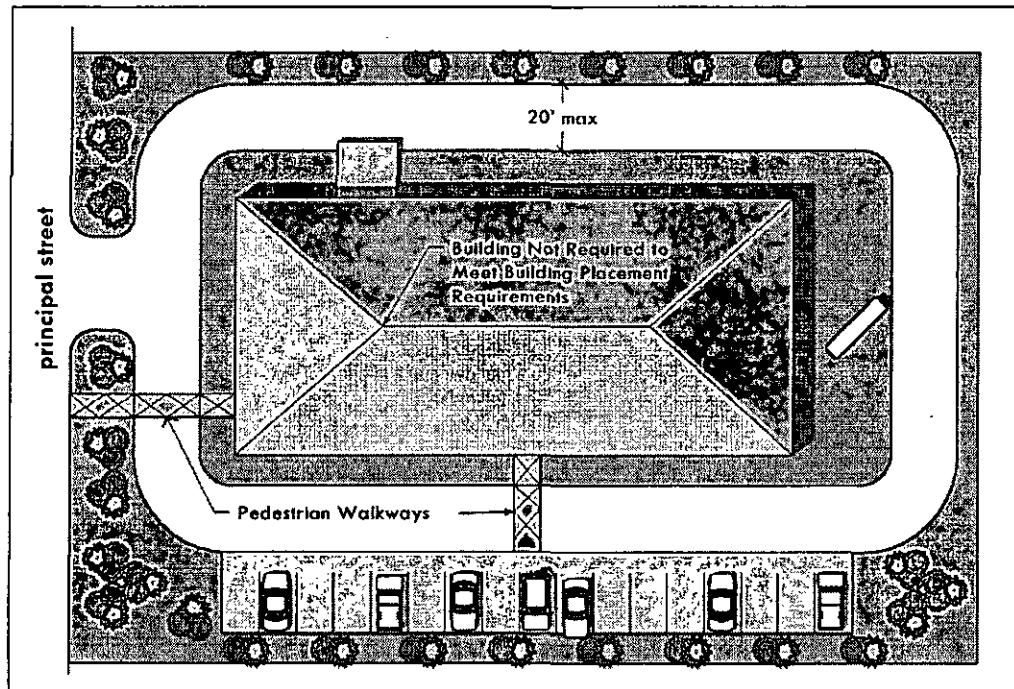


Figure 19: Drive-through uses serviced by a single curb cut do not have to meet the building placement standards in order to allow for a circulation lane.

5. Exception: Alternative Equivalent Compliance

If the applicant applies for a modification of this building placement standard through the alternative equivalent compliance procedure in Section 1.5 because there will not be enough building frontage to meet the 75 percent net frontage length requirement, the Director may approve an alternative design provided one of the following is met, in addition to the criteria in Section 1.5.4.:

- a. On a site with a single principal building:
 - (i) The longer side of the building must be built up to the clear zone (or supplemental zone if provided) (See Figure 20.), or
 - (ii) At least one side of the building must be built up to the clear zone (or supplemental zone if provided) and the majority of the tenant spaces must have principal entrances facing the principal street (See Figure 21.).

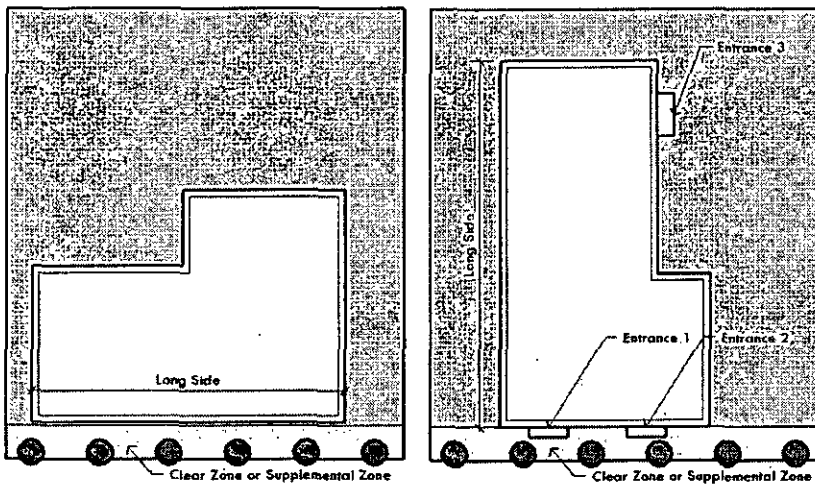


Figure 20 (left) & 21 (right): Alternative building placement options.

- b. On a site with more than one principal building, at least one building must be built to the clear zone (or supplemental zone), and:
 - (i) The longer side of any building, any portion of which is within 100 feet of the principal street, must be built up to the clear zone (or supplemental zone if provided), or

- (ii) At least one side of any building, any portion of which is within 100 feet of the principal street, must be built up to the clear zone (or supplemental zone if provided) and the majority of tenant spaces in any such building must have principal entrances facing the principal street.

E. Off-Street Parking

1. Off-street parking is prohibited between the Core Transit Corridor and the corresponding street-facing façade line. (See Figure 22.)
2. Any off-street surface parking along a Core Transit Corridor shall have landscape buffering in accord with Section 25-2-1006 of the LDC between the clear zone (or the supplemental zone if provided) and the parking area. The buffering method chosen must include shade trees.

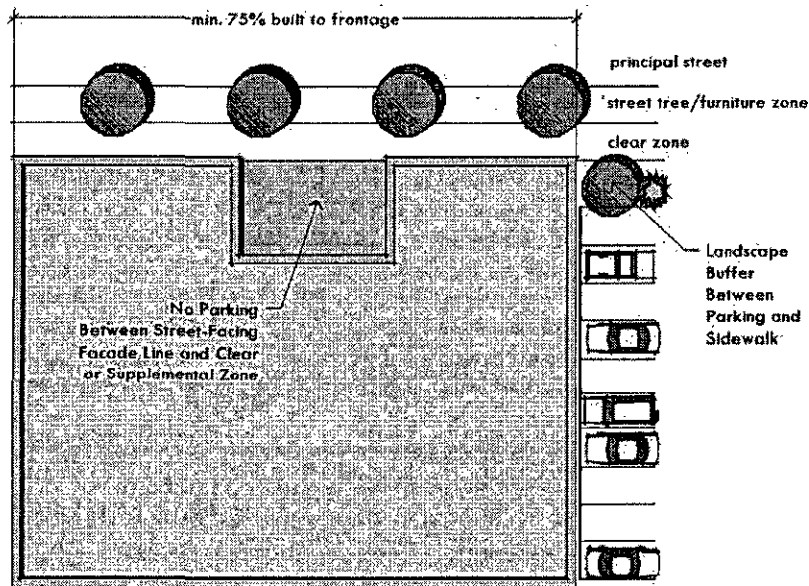


Figure 22: Parking to the side of a building is permitted but screening is required between the parking and the sidewalk. No parking is permitted between the building and the sidewalk on a Core Transit Corridor.

2.2.3. Urban Roadways: Sidewalks and Building Placement⁹

A. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.2.3. Urban Roadways: Sidewalks and Building Placement	Urban Roadway	All non-residential zoning districts

B. Sidewalks

Public sidewalks shall be located along both sides of all Urban Roadways. Sidewalks shall be no less than 12 feet in width, unless otherwise approved as part of the site plan review process. (See Figure 23.) The 12-foot minimum requirement shall apply regardless of the available right-of-way. Where required, the sidewalk shall extend onto private property to fulfill the 12-foot minimum requirement, with a sidewalk easement provided. Sidewalks shall consist of two zones: a street tree/furniture zone located adjacent to the curb, and a clear zone. The following standards apply:

⁹ NOTE: This section implements DO-3 from the policy report.

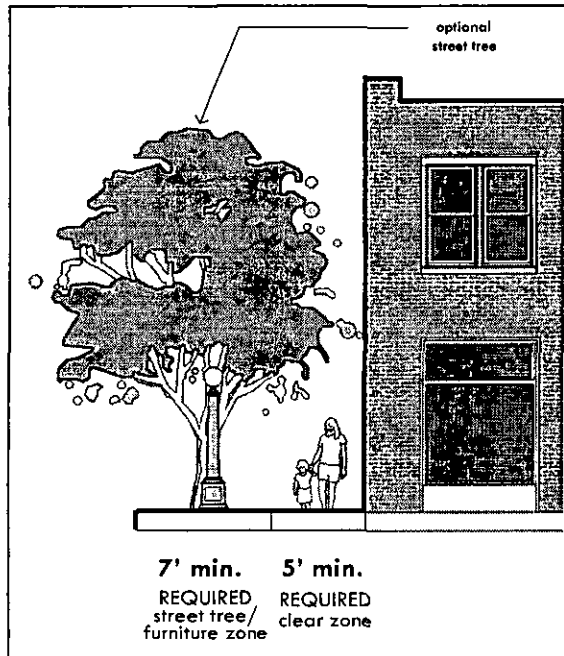


Figure 23: Urban roadway sidewalk width requirements. Note that street trees are optional on urban roadways.

1. Street Tree/Furniture Zone

The street tree/furniture zone shall have a minimum width of seven feet and shall be continuous and located adjacent to the curb.

2. Clear Zone

The clear zone shall be a minimum width of five feet, shall be hardscaped, shall be located adjacent to the street tree/furniture zone, and shall comply with ADA and Texas Accessibility Standards. The clear zone shall be unobstructed for a minimum width of five feet and a minimum height of eight feet.

3. Utilities

The standards for utility placement along core transit corridors shall also apply to utility placement along urban roadways. See Section 2.2.2.B.3. (See Figures 24 - 26.)

Article 2: Site Development Standards
Section 2.2. Relationship of Buildings to Streets and Walkways
Subsection 2.2.3. Urban Roadways: Sidewalks and Building Placement

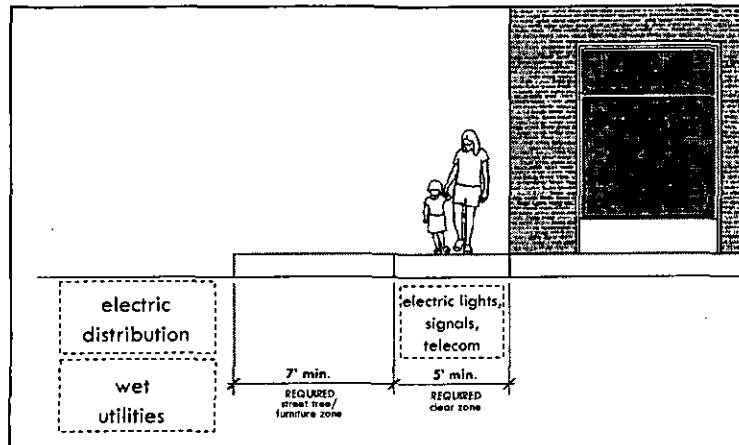


Figure 24: Underground Utilities on Urban Roadway

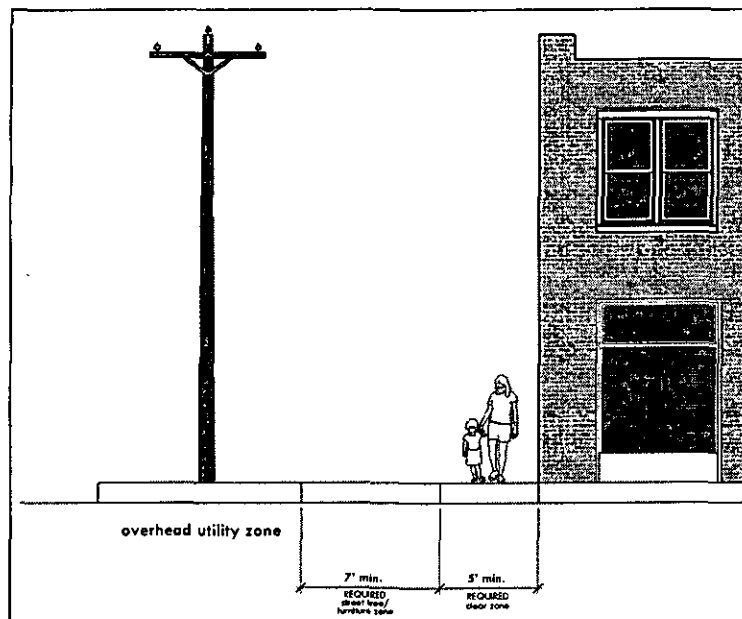


Figure 25: Above-Ground Utilities at Curb on Urban Roadway

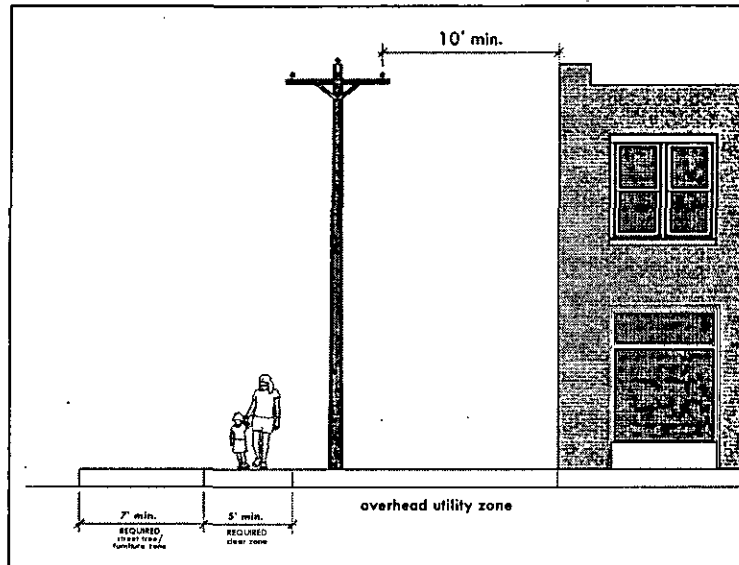


Figure 26: Above-Ground Utilities on Urban Roadway

C. Supplemental Zone (Optional)

A supplemental zone may be provided, at the applicant's option, between the street-facing façade line and the required clear zone. If provided, the supplemental zone shall be a maximum of 20 feet wide and shall comply with the standards above in Section 2.2.2.C. (See Figure 27.)

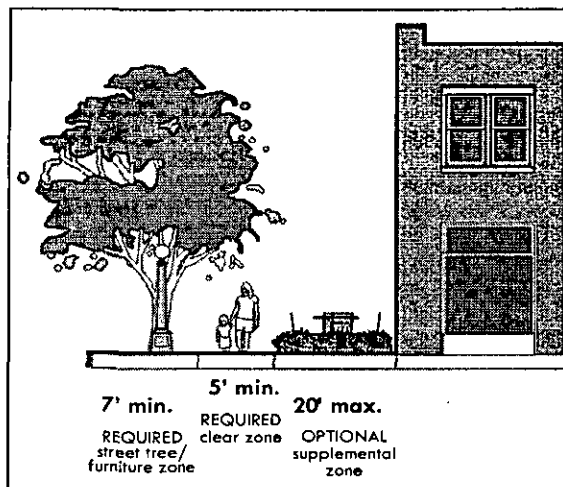


Figure 27: Urban Roadway with optional supplemental zone.

D. Building Placement

1. Notwithstanding the minimum setback requirements of the base zoning districts, at least 40 percent of the net frontage length along the Urban Roadway must consist of continuous building façade built up to the clear zone (or supplemental zone if provided). (See Figure 28.) Net frontage length is defined in Article 5. However, if the lot is subject to the connectivity requirements in Section 2.3.1., buildings may be built up to the sidewalk on an internal block along an Internal Circulation Route. (See Figure 29.)

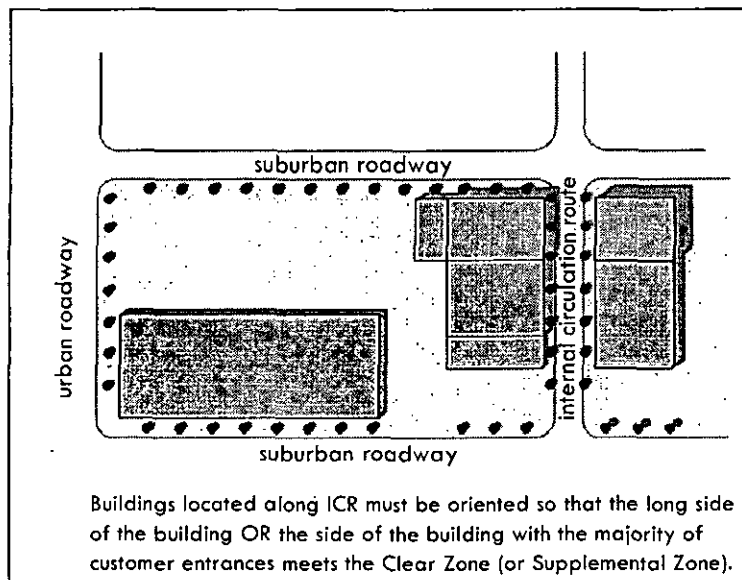


Figure 29: For sites of five acres or more, buildings may be located along the ICR instead of the urban roadway.

2. Exception: Pad Building with Drive-In or Drive-Through

When a pad building with a drive-in or drive-through is only permitted a single curb cut, the pad building site may contain a circulation lane between the building and the curb, and that building behind the circulation aisle does not have to be brought to the clear zone (or supplemental zone). See Section 2.2.2.D.4. and Figure 19.

3. Exception: Alternative Equivalent Compliance

If the applicant applies for a modification of this building placement standard through the alternative

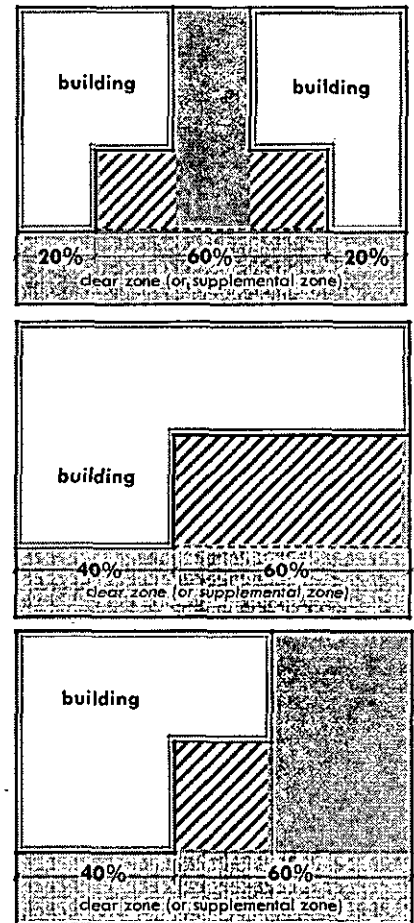


Figure 28: Examples of building placement on urban roadways. Parking is generally not permitted in the hatched area between the building façade and the sidewalk, except for shallow lots, as described in paragraph D.

equivalent compliance procedure in Section 1.5 because there will not be enough building frontage to meet the 40 percent net frontage length requirement, the Director may approve an alternative design provided one of the standards in Section 2.2.2.D.5. is met, in addition to the criteria in Section 1.5.4.

E. Parking

Parking is prohibited between the building(s) and the property line adjacent to the Urban Roadway. However, on sites 400 feet deep or less, parking may be located between the street-facing facade line and the Urban Roadway if:

1. At least 60 percent of the property's net frontage length along the Urban Roadway consists of continuous building façade (divided into no more than two buildings) (see Figure 31), or 40 percent of the net frontage length consists of continuous vertical mixed use building façade (divided into no more than two buildings), built up to the clear zone (or supplemental zone if provided); and
2. Any surface parking along an Urban Roadway shall have landscape buffering in accord with Section 25-2-1006 of the LDC between the clear zone (or the supplemental zone if provided) and the parking area; and
3. A shaded sidewalk leads to the main customer entrance from the clear zone (or supplemental zone if provided). No more than one drive aisle can cross the sidewalk. For multi-tenant developments, there must be a shaded sidewalk to the street-facing building façade at least every 330 feet of Urban Roadway frontage. (See Figure 30.)

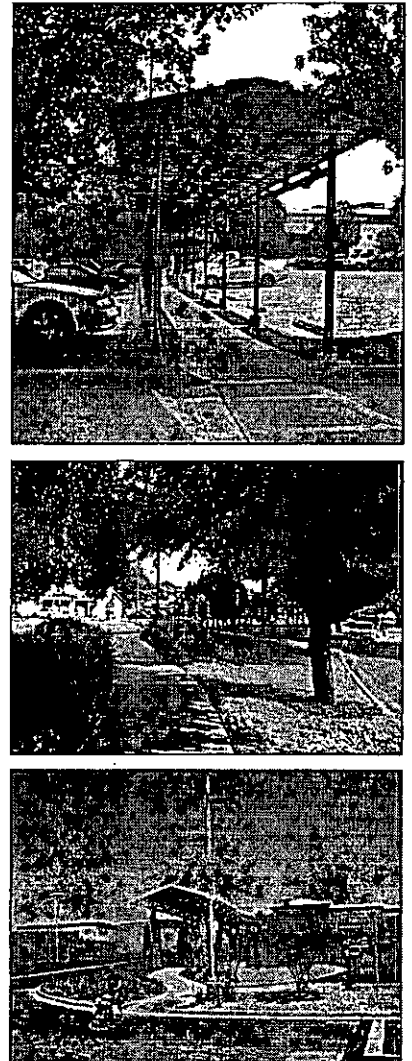


Figure 30 Examples of shaded sidewalks.

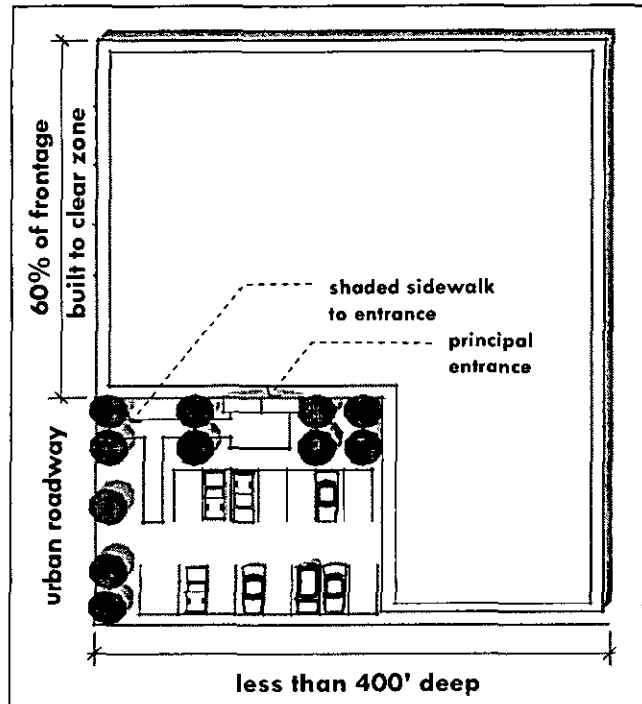


Figure 31: Parking is permitted between the building and the roadway on shallow lots less than 400 feet deep, when certain conditions are met.

F. Corner Sites

1. For sites located on a corner and adjacent to at least one Urban Roadway that is classified as a Future Core Transit Corridor in Article 5, the following standards shall apply:
 - a. No parking may be located within 100 feet of a corner; and
 - b. Drive-through facilities are prohibited on the façade facing the Urban Roadway.
2. All other sites located on a corner and adjacent to at least one Urban Roadway shall comply with the corner-site standards in Section 2.2.4.E.

2.2.4. Suburban Roadways: Sidewalks and Building Placement¹⁰

A. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.2.4. Suburban Roadways: Sidewalks and Building Placement	Suburban Roadway	All non-residential zoning districts (development of any site subject to the internal circulation system requirements in Section 2.3.1.)

B. Sidewalks

Public sidewalks shall be located along both sides of all Suburban Roadways. Sidewalks and supplemental zones shall comply with the standards for sidewalks along Urban Roadways in Section 2.2.3. above.

C. Building Placement

On Suburban Roadways, parking is discouraged between the building and the street. (See Figure 32.) If the property meets the building placement requirements for Urban Roadways as set forth in Section 2.2.3.D. above and no parking is located between the principal street and any street-facing building elevation, the project is exempt from the connectivity requirements in Section 2.3.1. below.

D. Parking

Parking along the street frontage must have:

1. Landscape buffering in accord with Section 25-2-1006 of the LDC; and
2. A shaded sidewalk leading to the main customer entrance from the property line. No more than two drive aisles may cross the sidewalk. For multi-tenant developments, there must be a shaded sidewalk for at least every 330 feet of frontage along the suburban roadway frontage.



Figure 32: Parking is discouraged between the building and the street on Suburban Roadways.

¹⁰ NOTE: This section implements DO-4 from the policy report. The term "Suburban Roadway" is proposed as a replacement for the term "Local Roadway."

E. Corner Sites

For sites located on a corner on Suburban Roadways:

1. Parking is prohibited within 100 feet of the corner, unless:
 - a. Landscape buffering between the parking area and the sidewalk is provided in accord with Section 25-2-1006 of the LDC (See Figure 33.); and
 - b. One hundred percent of the net frontage length along the principal street consists of continuous building facade.
2. The development may not contain an auto-oriented use unless it meets option a. or b. in 2.2.4.E.1. above. For purposes of this provision, auto-oriented uses shall consist of the following: any use with a drive-through service facility; automotive rentals; automotive repair services; automotive sales; automotive washing; commercial off-street parking; equipment sales; off-site accessory parking; service station; and vehicle storage.

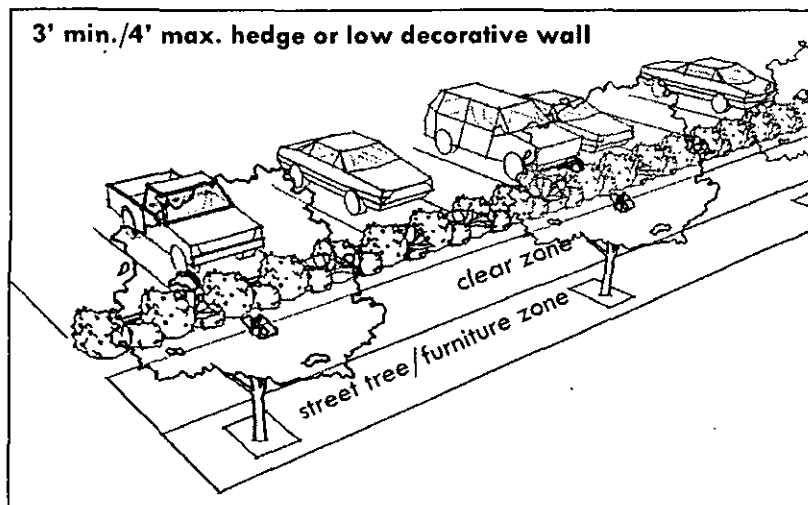


Figure 33: Required screening when parking is located near suburban roadway corners

2.2.5. Internal Circulation Routes: Sidewalks and Building Placement¹¹

A. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.2.5. Internal Circulation Routes: Sidewalks and Building Placement	Internal Circulation Route	All non-residential zoning districts

B. Sidewalks

Publicly accessible sidewalks shall be provided along both sides of all Internal Circulation Routes (whether built as public streets or as private drives).

1. On portions of the street with building frontage meeting the requirements of subsection C. below, the sidewalks and supplemental zones shall comply with the applicable standards for Urban Roadways, as provided in Section 2.2.3. The zone shall be planted with street trees at an average spacing not greater than 30 feet on center, or up to 60 feet on center with approval of the Director if parallel or head-in parking is provided pursuant to Section 2.2.2.B.5.
2. On other portions of the street, a five-foot unobstructed sidewalk shall be provided, all of which shall be located within 12 feet of the curb.

C. Building Placement

1. On a site with a single principal building:
 - a. The longer side of the building must be built up to the clear zone (or supplemental zone if provided), or
 - b. At least one side of the building must be built up to the clear zone (or supplemental zone if provided) and the majority of the tenant spaces must have principal entrances facing the Internal Circulation Route.

¹¹ NOTE: This implements DO-5 from the policy report.

2. On a site with more than one principal building:
 - a. The longer side of any building, any portion of which is within 100 feet of the Internal Circulation Route, must be built up to the clear zone (or supplemental zone if provided), or
 - b. At least one side of any building, any portion of which is within 100 feet of the Internal Circulation Route, must be built up to the clear zone (or supplemental zone if provided) and the majority of tenant spaces in any such building must have principal entrances facing the Internal Circulation Route.

D. Parking

1. Off-street parking is prohibited between the Internal Circulation Route and the corresponding street-facing façade line.
2. On-street parallel parking, head-in parking, and angle parking are allowed on an Internal Circulation Route, subject to compliance with fire access standards, and, if the Internal Circulation Route is a public street, subject to approval of the Director of Public Works based on administrative criteria to be adopted.

2.2.6. Building Entryways¹²

A. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.2.6. Building Entryways	Core Transit Corridor	All zoning districts
	- Suburban Roadway - Highway - Hill Country Roadway - Urban Roadway	All non-residential zoning districts

¹² NOTE: This section generally implements DO-6 from the policy report. However, we have also folded in the "building entrance" requirements from BD-1 from the policy report, which deals with pedestrian frontages, since there is so much overlap between the two sections.

B. Standards

1. At least one customer entrance should face the principal street and connect directly to the sidewalk along the principal street, unless the following requirements are met:
 - a. Regardless of the applicable building frontage requirements of Sections 2.2.2 through 2.2.5., at least 80 percent¹³ of the net frontage length along the principal street must consist of continuous building façade that is built up to the clear zone (or supplemental zone if provided);
 - b. The building must have a continuous shaded sidewalk linking the principal street and the building's principal entrance;
 - c. The entrance must be less than 100 feet from the street-facing façade line of the building; and

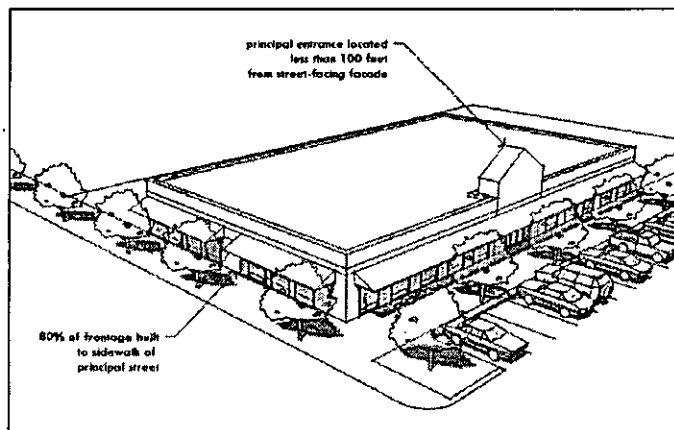


Figure 34: Requirements for a principal entrance that does not face the principal street

- d. A row of shade trees between the building and the parking area shall be provided at an average spacing not greater than 30 feet on center (See Figure 34.).
2. Building entrances should be located at intervals of no more than 75 feet along the elevation facing the primary street. If building entrances are located more than 75 feet apart (or there is a single

¹³ NOTE: 80 percent is a very high standard, but it is only required for buildings that do not have a customer entrance facing the principal street and connected to the sidewalk. The bar should be set high for such buildings.

entrance point on a facade greater than 150 feet in length), the areas between the entrances (or from building edge to the entrance) shall utilize landscape areas, raised planters, and shaded sidewalks that connect the entrances to improve the pedestrian-friendliness of the building along the principal street. (See Figure 35.)

3. In no case shall this section require orienting a building entryway toward a street with zoning of SF6 or lesser density.



Figure 35: When multiple entrances are not provided, long walls should be broken up with glazing and other pedestrian amenities

2.3. CONNECTIVITY

2.3.1. Internal Circulation Systems for Large Sites¹⁴

A. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.3.1. Internal Circulation Systems for Large Sites	<ul style="list-style-type: none"> - Core Transit Corridor - Urban Roadway 	<ul style="list-style-type: none"> - All zoning districts (development of any site five acres or larger) - See additional exemptions in subsection B.
	<ul style="list-style-type: none"> - Suburban Roadway - Highway - Hill Country Roadway 	<ul style="list-style-type: none"> - All non-residential zoning districts (development of any site five acres or larger) - See additional exemptions in subsection B.

B. Standards

Any site for that is subject to this Section 2.3.1. must comply with the following:

1. Maximum Block Size

Unless exempted below, the site shall be divided into internal blocks no longer than 660 feet by 330 feet from curb to curb. (See Figure 36.) The maximum block length applies both to blocks containing buildings and blocks containing surface parking. This standard shall not require the block front adjacent to a Hill Country Roadway to be divided in a manner inconsistent with state highway access spacing requirements.

¹⁴ NOTE: This implements C-1 from the policy report.

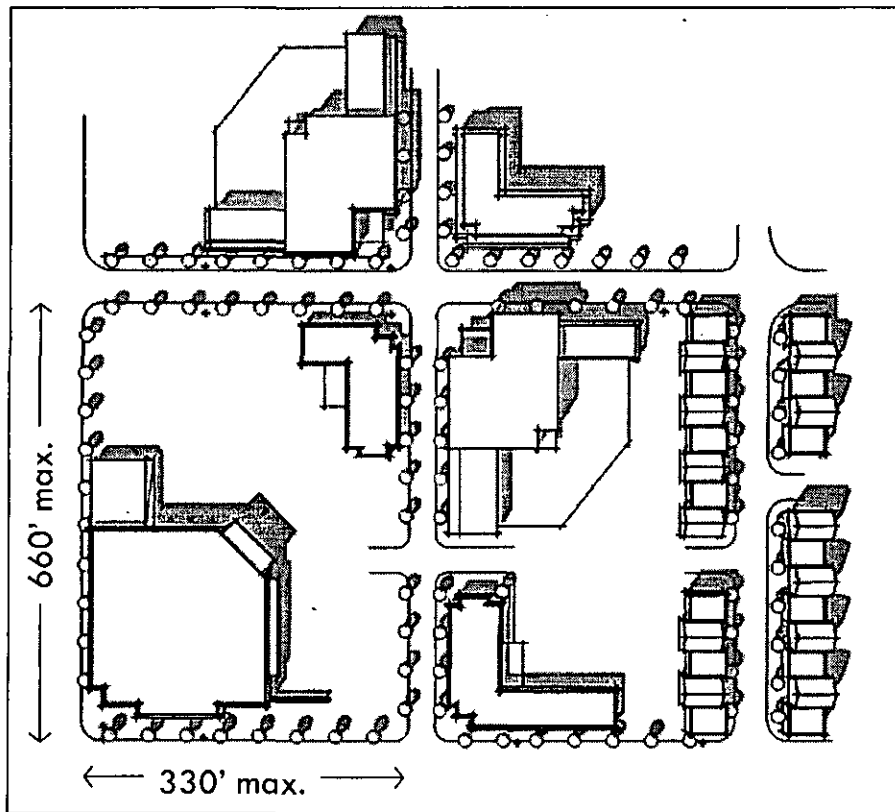


Figure 36: Example of an interconnected grid-like system for internal circulation. Blocks must not exceed 660' by 330' in most cases.

a. Exemption: Corporate Campuses

The maximum block length standard does not apply to a corporate campus. For purposes of this exemption, a "corporate campus" is defined as a site for a single company larger than ten acres with at least three office buildings larger than 50,000 square feet each, and a maximum of ten percent of the total building square footage of the site devoted to retail uses.

b. Exemption: Sites Over 15 Acres

On sites 15 acres or larger, the site may contain one block with a maximum dimension of 660 feet by 660 feet for each 30 acres (i.e., one 660 by 660 block on a site of between 15 to 30 acres, two 660 by 660 blocks on a 30-60-acre site, etc.).

c. Exemption: Office Sites in Drinking Water Protection Zone or Water Supply Watershed

The maximum block length standard does not apply to any site in the Drinking Water Protection Zone or a Water Supply Watershed designated as a neighborhood office (NO), limited office (LO), or general office (GO) district.

2. Internal Circulation System Required

- a. Internal Circulation Routes connecting the blocks must form an interconnected, grid-like transportation system on the site. (See Figure 34.)
- b. Contiguous green spaces are not subject to the block-length requirements, but if the green space is longer than 150 feet, it must include a pedestrian and bicycle shared use path as a mid-block connection every 150 feet.

3. Parking Allowed¹⁵

On-street, parallel parking, head-in parking, and angle parking are allowed on each new public street or Internal Circulation Route subject to compliance with fire access standards and, if the Internal Circulation Route is a public street, subject to approval of the Director of Public Works based on administrative criteria to be adopted.

4. Height Increase for Offices in the General Office District

For a greenfield site of ten acres or larger that includes at least two complete internal blocks of no larger than 660 feet by 330 feet and that is designated as a general office (GO) district, the maximum office height is increased to 80 feet. This height increase remains subject to compatibility standards.

¹⁵ NOTE: The Fire Department has recently processed an amendment to the Fire Code to address this concern. The amendment states that fire apparatus access roads shall have an unobstructed width of not less than 25 feet, except for approved security gates, and an unobstructed vertical clearance of not less than 14 feet. Exceptions may be allowed if the street meets specified criteria (including city minimum street width standards).

5. Impervious Cover Credit

- a. Development sites outside the Barton Springs Zone that are five acres or larger may exclude sidewalks that are fifteen wide or less and curbs along Internal Circulation Routes and adjacent public roadways from impervious cover calculations under Chapter 25-8 Subchapter A (*Water Quality*).
- b. Impervious cover increases resulting from this exemption are required to be treated to meet current water quality and drainage standards. Permeable pavement is required for sidewalks taking advantage of these provisions.

6. Subdivision of Internal Blocks

Internal blocks abutting Internal Circulation Routes may be subdivided to allow for the sale and development of individual blocks without frontage on a public street if the Director determines that the Internal Circulation Routes are equivalent to a public street in terms of utilities, pavement design, and vehicle access requirements. For the purpose of compliance with setback and minimum lot frontage requirements, an Internal Circulation Route is considered equivalent to a public street.

2.3.2. Improvements to Encourage Pedestrian, Bicycle, and Vehicular Connectivity¹⁷

A. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.3.2. Improvements to Encourage Pedestrian, Bicycle, and Vehicular Connectivity	All roadway types	<ul style="list-style-type: none">- Projects with a net site area of three acres or more in all non-residential zoning districts- Projects with a net site area of less than three acres that have parking between the building and the street in all zoning districts

¹⁷ NOTE: This implements C-2 from the policy report, including the November 2005 amendments.

B. Standards

1. Vehicular and Pedestrian Connections Between Sites¹⁸

All sites or developments subject to this section shall:

- a. Provide private drive or public street connections to existing private drives or public streets on adjacent sites, or stub-outs if connections are not feasible; and
- b. Where a public street is adjacent to the property line, provide direct pedestrian and bicycle access from that street to a customer entrance. The pedestrian and bicycle access points must be fully accessible during operating hours. (See Figure 37.)



Figure 37: Example of a pedestrian/ bicycle connection from sidewalk to building entrance

2. Additional Measures to Improve Connectivity

All sites or developments subject to this section shall select and comply with at least two of the options in the table below. However, if a site or development provides surface parking that amounts to more than 125 percent of the parking required in Appendix A (*Tables of Off-Street Parking and Loading Requirements*), the site or development must select and comply with at least three of the options in the table below.

¹⁸ NOTE: These were the first and fourth "options" in the policy report (though the parkland portion of option 4 has been kept in the table). As noted in the Diagnosis, we propose making them mandatory, since they are typical standards and compliance is not difficult so long as there is clear advance notice of the requirements when designing the site.

Article 2: Site Development Standards
Section 2.3. Connectivity
Subsection 2.3.2. Improvements to Encourage Pedestrian, Bicycle, and Vehicular Connectivity

Option	Description / Comments
Provide pedestrian and bicycle connections from adjacent parkland.	Where public parkland is adjacent to the property line, provide pedestrian and bicycle access from the trail or walkway system on that parkland to the building entrance. The pedestrian and bicycle access points must be fully accessible during operating hours and shall meet city standards for pedestrian and bike ways.
Provide solar power shading devices in parking lots. (See Figure 38.)	Devices shall comply with requirements of administrative rules on this subject.
Provide pedestrian connection to adjacent residential development.	If there is a residential development adjacent to the site, provide a pedestrian connection to those buildings, up to the property line, and to an existing pathway if one is present on the adjacent site.
Internal utility lines should be located in drive aisles or Internal Circulation Routes, rather than under parking areas.	Do not locate utility lines beneath surface parking areas. This is designed to facilitate future redevelopment.
Limit curb cuts.	Connections between site and adjacent arterials and highways occur no more frequently than every 330 feet. An Internal Circulation Route does not count as a curb cut.
At least 50 percent of the provided parking is constructed of concrete or pervious pavement (for example, pavers, open grid pavement system, pervious concrete). (See Figure 39.)	If located in the Edwards Aquifer Recharge zone, only concrete may be used to satisfy this option. Open grid pavement systems may be used in areas providing fire access only if shown to meet Fire Department load-bearing requirements. The use of concrete or pervious pavement shall not affect the impervious cover calculation for purposes of Section 2.3.1.B.5., "Impervious Cover Credit."
Enhance physical fitness opportunities and multi-modal connectivity by providing shower facilities.	To comply with this option, the site must meet one of the following minimum size thresholds and provide the listed facilities: <ul style="list-style-type: none"> Office uses: 1 shower facility and 3 lockers for buildings more than 10,000 square feet (ADA requirements may not permit a single unisex shower if the expected occupant load exceeds 10. The number of required showers may be increased to 2 ADA showers) Commercial uses: 1 shower facility and 3 lockers for every building exceeding 50,000 square feet of gross floor area Industrial uses: 1 shower facility and 3 lockers for every building exceeding 100,000 square feet of gross floor area



Figure 38: Example of solar power shading device in parking lot

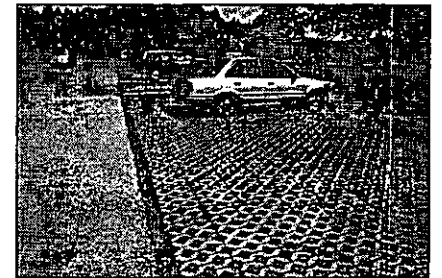


Figure 39: Example of pervious paving surface

2.4. PARKING REDUCTIONS

2.4.1. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.4. Parking Reductions	All roadway types	All non-residential zoning districts

2.4.2. Reduction of Minimum Off-Street Parking Requirements¹⁹

This section provides for reductions in the minimum off-street parking requirements in Chapter 25-6, Article 7, *Off-Street Parking and Loading*. The minimum off-street parking requirement shall be reduced as follows:

- A. By one space for each on-street parking space located adjacent to the site on a public street, including spaces on Internal Circulation Routes that meet public street standards.
- B. By up to 10 percent to preserve significant stands of trees or protected trees in addition to those required to be preserved by the Code, pursuant to protection measures specified in the Environmental Criteria Manual. If the applicant provides more parking spaces than the minimum required, the additional parking spaces may not result in the removal of significant stands of trees or protected trees.
- C. By 20 spaces for every car-sharing vehicle provided in a program that complies with the requirements prescribed by the Director by administrative rule.
- D. By one space for each shower facility with three or more lockers provided for employees in a nonresidential building.

Unless otherwise specified, the above reductions may be applied cumulatively, and may be applied in addition to

¹⁹ NOTE: This implements P-1 from the policy report. Note that by-right parallel parking (P-2) is, at least partially, addressed by Section 2.2.2.B.5.

the urban core parking reduction authorized in Section 25-6-478, but in no case may the minimum off-street parking requirements for a project set forth in Chapter 25-6, Appendix A, be reduced by more than 40 percent.

2.5. EXTERIOR LIGHTING²⁰

2.5.1. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.5: Exterior Lighting	All roadway types	All zoning districts

2.5.2. Standards

A. Submission of Plans and Evidence of Compliance

All site plan applications shall include a description of all lighting fixtures not affixed to buildings, both proposed and those that will remain on the site, as well as any existing or proposed fixtures to be located in adjacent right-of-ways after completion of the project. For new fixtures, the description may include, but is not limited to, catalog cuts and illustrations by manufacturers (including sections where required), that demonstrate compliance with the standards of this Subchapter. For lighting fixtures affixed to buildings, such information shall be provided as part of the building permit application.

B. Fully Shielded and Full Cut-off Light Fixtures Required

The following outdoor lighting applications shall be illuminated by fixtures that are both fully-shielded and full cut-off: (See Figure 40.)

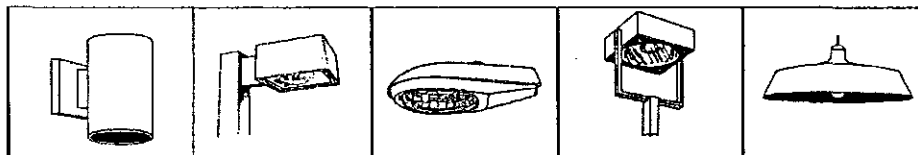


Figure 40: Examples of fully-shielded light fixtures

²⁰ NOTE: This implements EL-1 from the policy report.

1. Public street and pedestrian lighting;
2. Parking lots;
3. Pathways;
4. Recreational areas;
5. Billboards;
6. Product display area lighting; and
7. Building overhangs and open canopies.

C. Lighting of Building Façades

Buildings and structures shall be illuminated by fixtures that are both fully-shielded and full cut-off. Building façade lighting may only be used to highlight specific architectural features such as principal entrances and towers. Uniform floodlighting of building facades shall be permitted only through the alternative equivalent compliance review process.

D. Directional Luminaires

Directional luminaires may be used to illuminate signs and flagpoles. Such luminaires shall be installed and aimed so that they illuminate only the specific object or area and do not shine directly onto neighboring properties, roadways, or distribute excessive light skyward.

E. Lamp or Fixture Substitution

Should any outdoor light fixture or the type of light source therein be changed after site plan or building plan approval has been granted, a change request must be submitted to the Director for approval, together with adequate information to assure compliance with this Subchapter, which must be received prior to substitution.

F. Non-Conforming Lighting

All outdoor lighting fixtures lawfully installed prior to and operable on the effective date of this Subchapter are exempt from all requirements of this Subchapter until January 1, 2015, at which time they shall become subject to this Subchapter, and shall be considered non-conforming if they do not comply with the requirements of this Subchapter.

2.6. SCREENING OF EQUIPMENT AND UTILITIES²¹

2.6.1. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.6: Screening of Equipment and Utilities	All roadway types	<ul style="list-style-type: none"> - All non-residential zoning districts - The following uses are exempt, in addition to the general exemptions of Section 1.2.3.: local utilities services use, electric service transformers within the right-of-way, antenna

2.6.2. Standards

All development subject to this section shall comply with the following requirements:

- A. Solid waste collection areas and mechanical equipment, including equipment located on a rooftop but not including solar panels, shall be screened from the view of a person standing on the property line on the far side of an adjacent public street. (See Figure 41.)
- B. Storage, solid waste collection, and loading areas must be located at least 20 feet or more from any public street, public sidewalk, internal pedestrian walkway, or building with a residential use (not including VMU structures). This setback requirement does not apply to an accessible route to those areas required by the Americans with Disabilities Act.
- C. Loading docks, truck parking, outdoor storage, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building and landscape so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. Screening materials for solid waste collection and

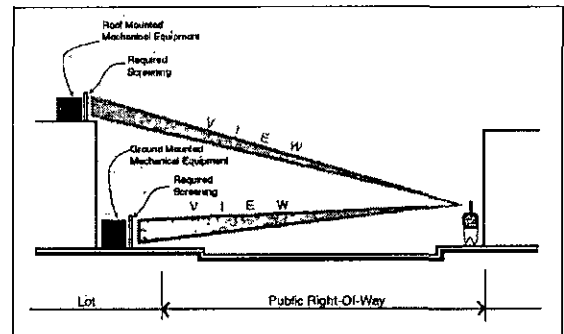


Figure 41: Screening of mechanical equipment

²¹ NOTE: This implements SC-1 of the policy report. Based on the Diagnosis and subsequent discussions with officials, we recommend that all three standards be mandatory, rather than listed as options.

loading areas shall be the same as, or of equal quality to, the materials used for the primary building and landscape.

2.7. PRIVATE COMMON OPEN SPACE AND PEDESTRIAN AMENITIES²²

2.7.1. Purpose

Open air and semi-enclosed public gathering spaces can act as central organizing elements in a large development. They can also help to shape the relationship between different land uses and provide focal points and anchors for pedestrian activity. Goals and requirements for common open space and pedestrian amenities complement the Austin Code's requirements for dedicated public open space and parks, and serve similar purposes.

2.7.2. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.7: Private Common Open Space and Pedestrian Amenities	All roadway types	All site plans five acres in size or larger

2.7.3. Standards

A. Amenity Required

All development subject to this section shall devote a minimum of two percent of the net site area to one of the following types of private common open space or pedestrian amenities:

1. A natural and undisturbed private common open space, for use of the residents, employees, and visitors to the development.
2. A landscape area other than one required by Subchapter C, Article 9 (*Landscaping*), provided such landscaped area has a minimum depth and width of 10 feet and a minimum total area of 650 square

²² NOTE: This implements LU-4 from the policy report.

feet. The area shall include pedestrian amenities to support these places as gathering areas.

3. A playground, patio, or plaza with outdoor seating areas, provided the playground, patio, or plaza has a minimum depth and width of ten feet and a minimum total area of 300 square feet. The area shall include pedestrian amenities to support these places as gathering areas.
4. A combination of the above-listed amenities. (See Figure 42.)

Developments with primarily residential uses are encouraged to comply with this requirement by setting aside private common open space, while developments with a mix of uses or primarily non-residential uses are encouraged to comply by providing one or more of the other listed amenities.

B. Location Criteria²³

To the maximum extent feasible, where significant natural and scenic resource assets exist on a property, the developer shall give priority to their preservation as private common open space. In reviewing the proposed location of private common open space areas, the Director shall use all applicable plans, maps, and reports to determine whether significant resources exist on a proposed site that should be protected, with priority being given to the following areas (which are not listed in a particular order):

1. Wetlands;
2. Flood hazard areas;
3. Lakes, rivers, and stream/riparian corridors;
4. Tree preservation areas (See Figure 43.); and
5. Karst areas.

C. Areas Not Credited

Lands within the following areas shall not be counted towards private common open space or pedestrian amenities required by this section:

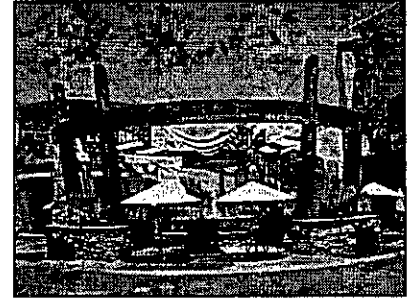


Figure 42: Examples of open space amenities

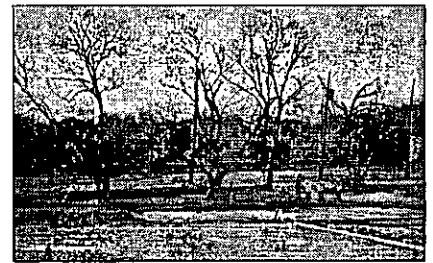


Figure 43: Example of tree preservation during construction

²³ NOTE: The intent here is merely to provide guidance in what types of areas are set aside as common open space. The intent is not to circumvent or duplicate city environmental standards.

1. Private yards;
2. Public or private streets or rights of way;
3. Parking areas and driveways for dwellings; and
4. Water quality and stormwater detention ponds, unless approved by the Director.

D. Design Criteria

Land set aside for private common open space or pedestrian amenities pursuant to this section shall meet the following design criteria, as relevant:

1. Common open space areas shall be located so as to be readily accessible and useable by residents or visitors in various locations of the development, unless the lands are sensitive natural resources and access should be restricted.
2. The lands shall be compact and contiguous unless the land shall be used as a continuation of an existing trail, or specific topographic features require a different configuration. An example of such topographic features would be the provision of a trail or private open area along a riparian corridor.
3. Where private common open space areas, trails, parks, or other public spaces exist adjacent to the tract to be subdivided or developed, the private common open space or pedestrian amenity shall, to the maximum extent feasible, be located to adjoin, extend, and enlarge the presently existing trail, park, or other open area land.

E. Maintenance

All private common open space or pedestrian amenity areas shall be maintained by the owners of the development.

F. Fee In Lieu

Instead of providing private common open space or pedestrian amenities as required in this section, the developer of a property located within the urban roadways boundary (as defined in Article 5 of this Subchapter) may request approval to deposit with the city a nonrefundable cash payment, based on a formula established by the council. The Director shall review the request and accept or deny the request no later than 15 days following its receipt.

ARTICLE 3: BUILDING DESIGN STANDARDS

3.1. INTENT

These building design standards are intended to:

- 3.1.1. Strengthen Austin's unique character and help buildings to better function in Austin's environment;
- 3.1.2. Create buildings with appropriate human scale;
- 3.1.3. Ensure that buildings contribute to the creation of a pedestrian-friendly environment through the provision of glazing, shading, and shelter at the pedestrian level;
- 3.1.4. Lessen the impact of branded architecture that does not speak to the city's unique character and conditions; and
- 3.1.5. Increase the quality, adaptability, and sustainability in Austin's building stock.

3.2. PEDESTRIAN FRONTAGES²⁴

3.2.1. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
3.2: Pedestrian Frontages	All roadway types	<ul style="list-style-type: none">- Development of any non-residential land use- This section applies to any building frontage visible and accessible to the public. Building facades facing loading areas, rear service areas, or facades adjoining other buildings (attached to more than 50 percent of the sidewall) are exempt.

²⁴ NOTE: This section implements the BD-1 standards. We have removed the sections allowing administrative waivers in the glazing and shading sections, since the new "minor modifications" and "alternative equivalent compliance" sections provide general tools for the city to address such situations. We also have folded the entryway requirements into Section 2.2.6. with the other building entrance provisions.

3.2.2. Glazing on Building Facades

Glazing provides interest for the pedestrian, connects the building exterior and interior, puts eyes on the street, promotes reusability, and provides a human-scale element on building facades. Projects subject to this section shall meet the following minimum glazing requirements, but glazing shall not be limited to the areas discussed:

A. On the façade facing the principal street:

1. At least 40 percent of the wall area that is between two and ten feet above grade shall consist of glazing (See Figure 44.); and
2. The second floor must provide a minimum of 25 percent glazing between three and eight feet, as measured from that story's finished floor level. (See Figure 44.)

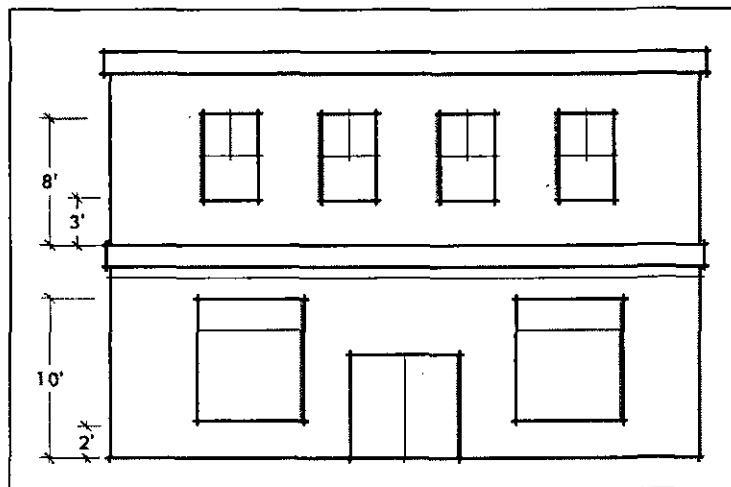


Figure 44: Glazing Requirements

- B.** On all other publicly visible facades, at least 25 percent of the wall area between two and ten feet above grade must consist of glazing. This requirement shall not apply if the building code prohibits windows on such facades.
- C.** If a single-story building has a façade taller than 20 feet, the façade area above 15 feet is subject to the same window requirement as the second floor requirement in Subsection 1.

- D. Any façade that is built up to an interior mid-block property line is not required to have glazing on that façade if no prohibitions and no contractual or legal impediments exist that would prevent a building being constructed on the adjacent property up to the wall of the façade.
- E. At least one-half of the total area of all glazing on ground-floor facades that face the principal street shall have a Visible Transmittance (VT) of 0.6 or higher.²⁵

3.2.3. Shade and Shelter²⁶

Austin's climate requires shade and shelter amenities in order to accommodate and promote pedestrian activity. These amenities will provide greater connectivity between sites and allow for a more continuous and walkable network of buildings. (See Figure 38.) Projects subject to this section shall meet the following shade and shelter requirements:

- A. A shaded sidewalk shall be provided alongside at least 50 percent of all building frontages adjacent to or facing the principal street or adjacent parking. When adjacent to parking, the shaded sidewalk shall be raised above the level of the parking by way of a defined edge. ADA ramps alongside the building must also be shaded. (See Figure 45.)
- B. Building entrances shall be located under a shade device such as an awning or portico.

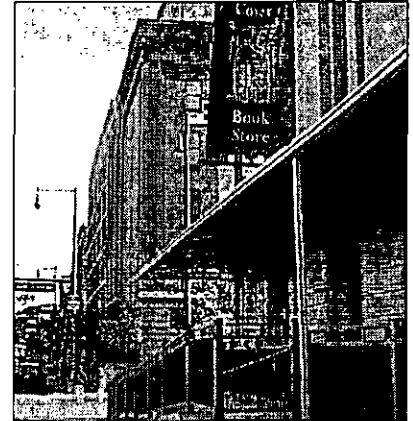


Figure 45: Example of ADA ramp with shade structure

²⁵ NOTE: This was an option in 3.3 in the policy report. We suggest making it mandatory for windows facing the principal street. The original language from the policy report (applies to all ground-floor facades that face the street or parking lots) is an option in the building design options table.

²⁶ NOTE: This section has been consolidated with some of the shade options from the connectivity options matrix in the policy report. There was much overlap between those two sets of provisions.

3.3. OPTIONS TO IMPROVE BUILDING DESIGN²⁷

3.3.1. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
3.3: Options to Improve Building Design	All roadway types	<ul style="list-style-type: none">- Development of any commercial use of 10,000 square feet or more that requires a building permit- Development of any commercial use of less than 10,000 square feet that contains any exterior trademarked design feature- Any building zoned for industrial use or warehouse use at the point its use is converted to commercial- VMU buildings with external trademarked design features (not including signs)- Office development is exempt from this section

3.3.2. Building Design Options

A. General Requirement

1. Each building subject to this section must earn one base point from the table in paragraph 3.3.2.C. below, and may be required to earn additional points if certain design features are present.
2. Developments with multiple buildings are required to earn the applicable number of points for each building. Points may be aggregated among buildings only if the development contains at least 100 lineal feet of VMU building frontage along the principal street.

B. Additional Requirements for Certain Types of Development

The following shall earn points as specified below, in addition to the base point required in subsection A. All points in this section shall be earned cumulatively.

1. A building with exterior trademarked design features shall earn additional points as follows:

²⁷ NOTE: This section implements the BD-3 standards.

- a. Three additional points from the table in paragraph 3.3.2.C. if such features are located 12 feet or less above finished grade and there is no prototypical roof or parapet design;
 - b. Five additional points from the table in paragraph 3.3.2.C., two of which must come from Group B, if such features are located more than 12 feet above finished grade
2. If the building plan depicts any of the design features listed below, one additional point must be earned for each design feature (except as noted):
- a. Building is one story and greater than 20 feet tall, floor to bottom of roof structure.
 - b. Building façade exceeds 200 feet in width without entrances every 75 feet.
 - c. Individual use is greater than 100,000 square feet.
 - d. Building is a pad-site building located in the CBD or DMU districts with either of the following features (2 additional points):
 - (i) Drive-in or drive-through;
 - (ii) Building is separated from other buildings by surface parking on at least two sides;
 - e. False fronts or shaped parapets are created to increase the apparent size of the building or house corporate signage or logos. If used, building parapets must not be greater than 50 percent higher than the distance of the building from grade to roof. (For example, a building that is 20 feet tall from the grade to the roof cannot have a parapet greater than 10 feet tall from roof to top of parapet.) (See Figure 46.)
 - f. Concrete block (not including split-faced concrete block) is used on more than 25 percent of a façade visible to the public
 - g. Concrete block (not including split-faced concrete block) is used on more than 75 percent of a façade visible to the public (must earn two additional points).
 - h. EIFS is used as a material on the ground floor (below 10 feet).

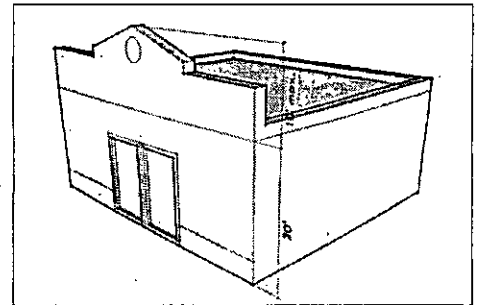


Figure 46: Standards for height of false fronts or parapets.

- i. Pad building with drive-in or drive-through (on a site with a Core Transit Corridor as the principal street).

C. Table of Design Options

Option	Description / Comments
Group A: Each option worth 1 point	
Achieve star rating under the City of Austin Green Building program.	Each star of the rating qualifies for one point. No double credit for Green Building points from Group B.
Provide for liner stores in building façade. (1 point for each liner store)	See Article 5, Definitions
Provide façade articulation.	See definition D.1. below.
Provide primary entrance design.	See definition D.2. below.
Provide roof design.	See definition D.3. below.
Provide building materials meeting the standards of this section.	See definition D.5. below.
Improve storefronts to new regulatory standard of Section 3.2.2 for glazing type/size & shading.	Applies only for buildings existing at the effective date of this Subchapter.
Glazing on ground-floor facades that face any street or parking lot have a Visible Transmittance (VT) of 0.6 or higher.	
Complies with neighborhood design guidelines, as prescribed in the Urban Design Criteria Manual	
90% of all frontages facing parking shall be shaded or have a shelter device	
Group B: Each option worth 2 points	
Design building so that at least 75% of the façade facing the principal street consists of storefronts with at least two separate entrances facing the principal street	
Provide sustainable roof.	See definition D.4. below.
Integrate solar power generation into building design.	The specific features and design shall be approved by the Director. Examples may include, but are not limited to, rooftop solar panels or Building Integrated Photovoltaics.
Achieve Green Building rating of 2 stars.	

Option	Description / Comments
Group C: Option worth 3 points	
Develop VMU structure	While VMU structures are exempted from the requirements of this section, points are assigned for the purpose of aggregating point values for the mixed use development bonuses described in Article 4. In addition to the three base points associated with the VMU development, one additional point is added if the gross square footage of the VMU structure contains a combination of at least 25% residential and 25% office or retail uses. However, no points may be earned for a building that contains external trademarked design features (not including signs).

D. Definitions of Options

1. Façade Articulation

For purposes of satisfying the requirements in subsections A. and B. above, "façade articulation" shall consist of one of the following design features, none of which can be trademarked design features (See Figure 47.):

- Changes in plane with a depth of at least 24 inches, either horizontally or vertically, at intervals of not less than 20 feet and not more than 100 feet; or
- Changes of color, texture, or material, either horizontally or vertically, at intervals of not less than 20 feet and not more than 100 feet; or
- A repeating pattern of wall recesses and projections, such as bays, offsets, reveals or projecting ribs, that has a relief of at least eight inches.

2. Primary Entrance Design

For purposes of the satisfying the requirements in subsections A. and B. above, "primary entrance design" shall consist of at least three of the following design elements at the primary entrance (none of which can be trademarked design features), so that the primary entrance is architecturally prominent and clearly visible from the abutting street:

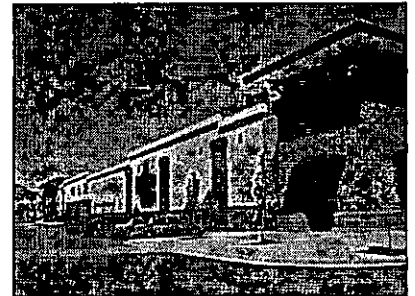


Figure 47: Examples of facade articulation

- a. Architectural details such as arches, friezes, tile work, murals, or moldings.
- b. Integral planters or wing walls that incorporate landscape or seating.
- c. Enhanced exterior light fixtures such as wall sconces, light coves with concealed light sources, ground-mounted accent lights, or decorative pedestal lights.
- d. Prominent three-dimensional features, such as belfries, chimneys, clock towers, domes, spires, steeples, towers, or turrets.
- e. A repeating pattern of pilasters projecting from the façade wall by a minimum of eight inches or architectural or decorative columns.

3. Roof Design

For purposes of satisfying the requirements in subsections A. and B. above, "roof design" shall consist of at least one of the following design elements, none of which can be trademarked design features:

- a. Parapets with horizontal tops having height changes of at least one foot occurring horizontally no less than every 100 feet. (See Figure 48.)
 - (i) Parapets that do not have horizontal tops must have pitched or rounded tops with a pattern that repeats or varies no less than every 100 feet.
 - (ii) All parapets must have detailing such as cornices, moldings, trim, or variations in brick coursing.
- b. Sloping roofs with at least two of the following design elements:
 - (i) Slope of at least 5:12.
 - (ii) Two or more slope planes.
 - (iii) Overhanging eaves extending at least three feet beyond the supporting wall.



Figure 48: Examples of roof design

4. Sustainable Roof

For purposes of the satisfying the requirements in subsections A. and B. above, a “sustainable roof” is roofing that has one of the following:

- a. For a minimum of 75 percent of the total roof surface, a Solar Reflectance Index (SRI) of 78 or higher for a roof with a slope of 2:12 or less, or 29 or higher for a roof with a slope greater than 2:12; or
- b. For a minimum of 50 percent of the total roof surface, a vegetated roof (See Figure 49.);
- c. For a minimum of 50 percent of the total roof surface, rainwater collection system; or
- d. For a minimum of 75 percent of the total roof surface, a combination of a vegetated roof with rainwater collection system and SRI-compliant roof meeting the SRI standards in Subsection 4.a. above.

5. Building Materials

For purposes of the satisfying the requirements in Subsection 1. above, “building materials” are defined as limestone or brick. However, the brick color shall not be a trademarked design feature.

3.3.3. Alternatives to Section 3.3.2.

A. Large Single-Story Buildings²⁸

Instead of complying with Section 3.3.2. above, a single-story commercial building that is 100,000 square feet or more in size may elect as a matter of right to comply with the following standards:

1. The building façade shall consist of 75 percent masonry (not including concrete blocks), excluding the window area and rear service area on sides visible to the public;
2. The use of trademarked design features above 12 feet and the use of trademarked roof and parapet design features is prohibited;
3. The building meets the “facade articulation” requirements as defined in Subsection 3.3.2.D.1. above;

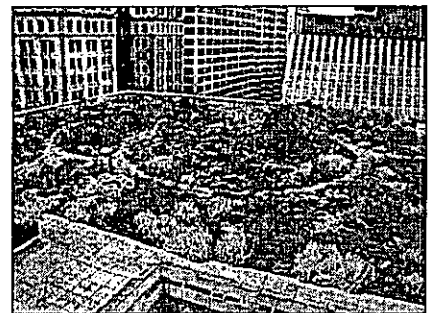


Figure 49: Example of a sustainable roof

²⁸ NOTE: This implements BD-4.

4. The building has 40 percent glazing on the front façade and 25 percent glazing and cutouts on each side visible to the public with a Visible Transmittance (VT) of 0.6 or higher; and
5. The building has a Green Building rating of at least 2 stars.

B. Pad Buildings with Drive-In and/or Drive-Through Services²⁹

Instead of complying with Section 3.3.2. above, a pad building with a drive-in and/or drive-through services, or a single-use drive-in use not located on a Core Transit Corridor, may comply with the following standards:

1. The use of trademarked design features above 12 feet is prohibited; and
2. The portion of the building below 12 feet consists of one of the following:
 - a. Limestone; or
 - b. Brick that has a different color than the trademarked brick color; or
 - c. For a building that occupies a pad or portion of a building within a planned project or shopping center, the building has similar design characteristics as the rest of the shopping center. This includes use of similar materials, patterns, rhythms, and proportions to the rest of the center.
3. Pad sites shall not have any parking located between the building and the street on Core Transit Corridors, Urban Roadways and Suburban Roadways.

²⁹ NOTE: This implements BD-5. The limitation on pad sites on CTCs is from the November 2005 amendments.

ARTICLE 4: MIXED USE

4.1. INTENT

This Article 4 is intended to provide for and encourage development and redevelopment that contains a compatible mix of residential, commercial, and institutional uses within close proximity to each other, rather than separating uses. The mixed use provisions define the uses of land and the siting and character of the improvements and structures allowed on the land in a manner that encourages a balanced and sustainable mix of uses. They promote an efficient pedestrian-access network that connects the nonresidential and residential uses and transit facilities. Redevelopment of underutilized parcels and infill development of vacant parcels should foster pedestrian-oriented residential and mixed use development. (See Figure 50.)

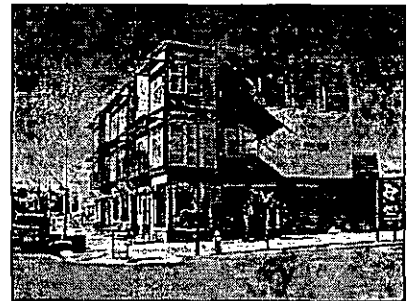
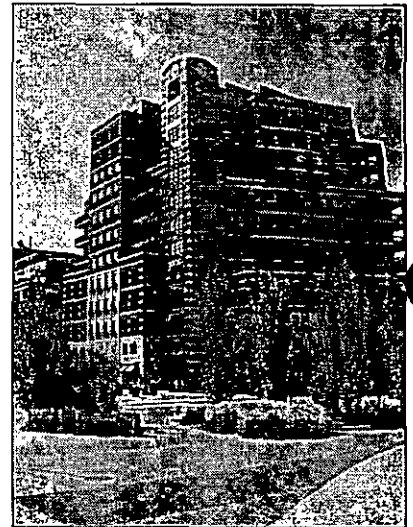


Figure 50: Examples of vertical mixed use

COMMENTARY: MIXED USE DEVELOPMENT IN AUSTIN GENERALLY

The City of Austin allows and encourages the development of mixed use projects. Mixed use development integrates two or more land uses, such as residential and commercial, with a strong pedestrian orientation. Requirements and standards for mixed use development appear in various places throughout the Austin City Code.

Zoning Districts in which Mixed Use is Allowed and Encouraged

The following districts are intended primarily for mixed use development and are described more fully in Section 4.2 below:

- Mixed Use Combining District (Section 4.2.1);
- Vertical Mixed Use Overlay District (Section 4.2.2).

Mixed use development also is allowed in other Austin zoning districts. Some of these districts are listed below and are described more fully in the referenced sections of the Austin Code. This list is not exhaustive, but rather is intended to illustrate the range of districts in which mixed use development is allowed:

- Central Business (CBD) (Section 25-2-100);
- Central Urban Redevelopment (CURE) (Section 25-2-163);
- Downtown Mixed Use (DMU) (Section 25-2-101);
- Planned Development Area (PDA) (Section 25-2-174);
- Planned Unit Development (Section 25-2-144);
- Traditional Neighborhood Development (25-2-Section 146);
- Transit Oriented Development (Section 25-2-147);
- Waterfront Overlay (WO) (Section 25-2-175); and
- University Neighborhood Overlay (UNO) (Section 25-2-178).

Types of Mixed Use Development

Within the districts that allow mixed use development, uses may be combined either vertically in the same building, or horizontally in multiple buildings, or through a combination of the two, depending on the standards of the district.

Vertical mixed use is allowed in two building types: the Vertical Mixed Use (VMU) Building and the Neighborhood Mixed Use (NMU) Building. Standards for VMU buildings are in Section 4.3 below, and standards for NMU buildings are in Subchapter D, Article 6.

Horizontal mixed use is the mixing of uses in a development project, though not necessarily in the same building. Horizontal mixed use is allowed and encouraged in Austin so long as each of the proposed uses is allowed within the applicable zoning district and the development meets all applicable requirements of the Austin Code.

4.2. MIXED USE ZONING DISTRICTS³⁰

4.2.1. Mixed Use Combining District³¹

A. Purpose

The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

B. Base Districts

A mixed use (MU) combining district may be combined with the following base districts:

1. Neighborhood office, if the use of an MU combining district will further the purpose of the neighborhood office base district;
2. Limited office;
3. General office;
4. Neighborhood commercial;
5. Community commercial;
6. General commercial services; and
7. Commercial liquor sales.

C. Uses Allowed

In the MU combining district, the following uses are permitted:

1. Vertical mixed use buildings, subject to compliance with Section 4.3. of this Subchapter;
2. Commercial uses that are permitted in the base district;
3. Civic uses that are permitted in the base district;
4. Townhouse residential;
5. Multifamily residential;
6. Single-family residential;
7. Single-family attached residential;
8. Small lot single-family residential;

³⁰ NOTE: Our early discussions with the city talked about allowing VMU in three districts – the existing MU combining district, a new VMU overlay district, and a new VMU base district. This draft establishes the first two of these districts. However, upon further reflection, the intent of a separate VMU base district is unclear and requires further discussion.

³¹ NOTE: This draft proposes relocating all the MU standards from the Austin Code into this Ordinance. If this approach is followed, then the following sections should be repealed in the Code: Section 25-2-172; 25-2-442; 25-2-646; and 25-2-647. There is no “applicability” section, since our understanding is that the intent is not to broaden where MU applies from the current boundaries.

9. Two-family residential;
10. Condominium residential;
11. Duplex residential;
12. Group residential;
13. Group home, class I (limited);
14. Group home, class I (general); and
15. Group home, class II.

D. District Standards³²

1. A single-family residential use must comply with the site development regulations prescribed by Section 25-2-492 (*Site Development Regulations*) for a family residence (SF-3) district, except for the front yard setback. The use must comply with the front yard setback prescribed for the base district.
2. A single-family attached residential use must comply with Section 25-2-772 (*Single-Family Attached Residential Use*).
3. A small lot single-family residential use must comply with Section 25-2-779 (*Small Lot Single-Family Residential Use*).
4. A two-family residential use must comply with Section 25-2-774 (*Two-Family Residential Use*).
5. A duplex residential use must comply with Section 25-2-773 (*Duplex Residential Use*).
6. This subsection applies to a multifamily residential use, a townhouse residential use, a condominium residential use, a group residential use, or a group home use.
 - a. In a mixed use (MU) combining district that is combined with a neighborhood office (NO) base district, the minimum site area for each dwelling unit is:
 - (i) 3,600 square feet, for an efficiency dwelling unit;
 - (ii) 4,000 square feet, for a one bedroom dwelling unit; and
 - (iii) 4,400 square feet, for a dwelling unit with two or more bedrooms.

³² NOTE: From Section 25-2-647. The provisions on VMU in that section are not carried forward, since they are replaced by new VMU provisions in this Subchapter.

- b. In an MU combining district that is combined with an limited office (LO) or neighborhood commercial (LR) base district, the minimum site area for each dwelling unit is:
 - (i) 1,600 square feet, for an efficiency dwelling unit;
 - (ii) 2,000 square feet, for a one bedroom dwelling unit; and
 - (iii) 2,400 square feet, for a dwelling unit with two or more bedrooms.

- c. In an MU combining district that is combined with a general office (GO), community commercial (GR), general commercial services (CS), or commercial services - liquor sales (CS-1) base district, the minimum site area for each dwelling unit is:
 - (i) 800 square feet, for an efficiency dwelling unit;
 - (ii) 1,000 square feet, for a one bedroom dwelling unit; and
 - (iii) 1,200 square feet, for a dwelling unit with two or more bedrooms.

4.2.2. Vertical Mixed Use Overlay District

A. Purpose

The purpose of a vertical mixed use (VMU) overlay district is to allow the development of vertical mixed use (VMU) buildings, subject to compliance with the standards in Section 4.3. below.

B. Applicability³³

The VMU overlay district is established within each zoning district for all sites with a Core Transit Corridor or future Core Transit Corridor as the principal street, subject to the following limitations:

³³ NOTE: The first area of applicability is from DO-2 in the policy report. The second area of applicability is from LU-5 (November 2005 amendments).

1. In areas subject to a Neighborhood Plan combining district, VMU structures may not contain uses prohibited for that lot under the neighborhood plan and are limited to commercially zoned properties.
2. In areas that have not undergone the neighborhood planning process, the VMU overlay is limited to commercially zoned properties, and is not allowed on properties zoned exclusively for residential.

C. Uses Allowed

In a VMU Overlay district, the following uses are permitted:

1. Uses that are permitted in the base district; and
2. Vertical mixed use buildings, subject to compliance with Section 4.3. of this Subchapter.

4.3. VERTICAL MIXED USE BUILDINGS³⁴

4.3.1. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
Section 4.3.: Vertical Mixed Use Buildings	Core Transit Corridor, Future Core Transit Corridor	- Mixed Use Combining District - Vertical Mixed Use Overlay District
	Highway, Hill Country Roadway, Suburban Roadway, or Urban Roadway	- Mixed Use Combining District - Sites of three acres or more, subject to 4.3.2.B.

4.3.2. Where Allowed

- A. A VMU building is allowed in the following zoning districts:
 1. Mixed use (MU) combining district; and
 2. Vertical mixed use (VMU) overlay district.
- B. In addition, for sites not in the MU combining district or the VMU overlay district, a VMU building may be allowed through the conditional use permit process on

³⁴ NOTE: This implements LU-3 from the policy report.

³⁸ NOTE: From the November 2005 amendments to LU-5 in the policy report.

any development site of three acres or more that has a Highway, Hill Country Roadway, Suburban Roadway, or Urban Roadway as the principal street, subject to the following limitations:

1. In areas subject to a Neighborhood Plan combining district, a VMU building may not contain uses prohibited for that lot under the Neighborhood Plan combining district.
2. In areas that have not undergone the neighborhood planning process, a VMU building is allowed only on commercially zoned properties, and is not allowed on properties zoned exclusively for residential.

4.3.3. Standards

A VMU building shall meet the following requirements:

A. Mix of Uses

A use on the ground floor must be different from a use on an upper floor. The second floor may be designed to have the same use as the ground floor so long as there is at least one more floor above the second floor that has a different use from the first two floors. At least one of the floors shall contain residential dwelling units. (See Figure 51).

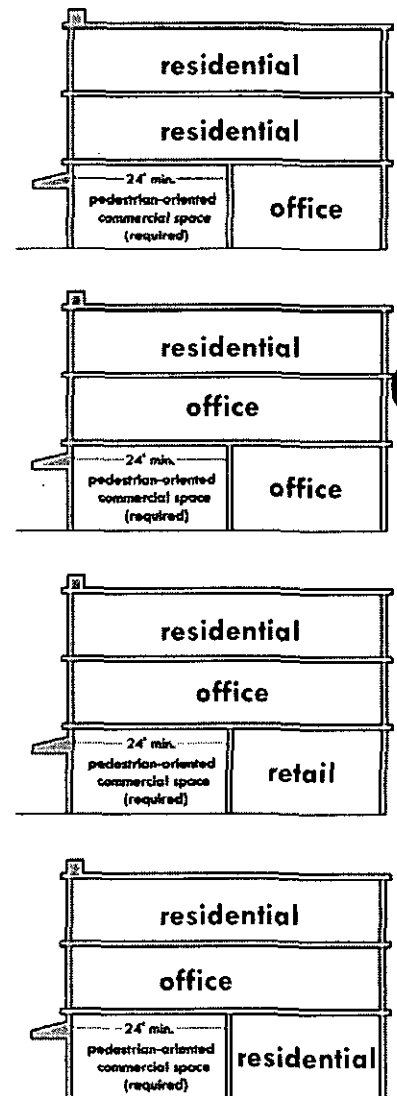


Figure 51: Examples (not a comprehensive list) of use mixes that would meet these requirements

B. Pedestrian-Oriented Commercial Spaces

Along at least 75 percent of the net building frontage, the building must be designed for commercial uses in ground-floor spaces that meet the following standards. A lobby serving another use in the VMU building shall not count as a pedestrian-oriented commercial space for purposes of this section.

1. Dimensional Requirements

Each ground-floor commercial space must have: (See Figure 52.)

- a. A customer entrance that opens directly onto the sidewalk;
- b. A depth of not less than 24 feet;
- c. A height of not less than 12 feet, measured from the finished floor to the bottom of the structural members of the ceiling; and
- d. A front façade that meets the glazing requirements of Section 3.2.2 (See Figure 44.).

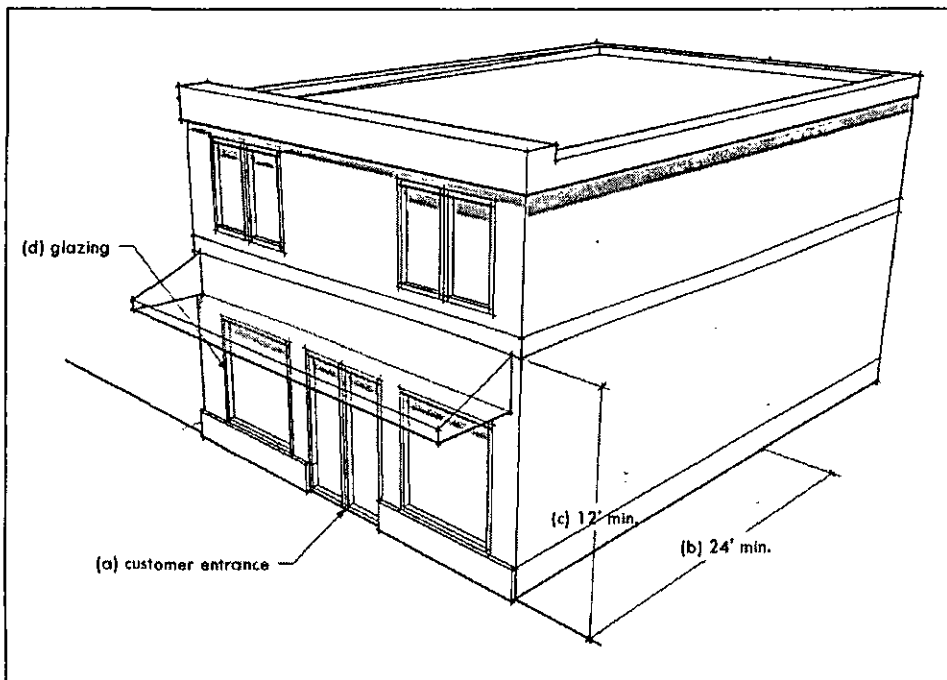


Figure 52: Pedestrian-Oriented Commercial Spaces

2. Ground-Floor Commercial Uses Allowed

Any commercial uses allowed in the base zoning district may be allowed at the ground-floor level in VMU buildings. In addition, in office districts, the following additional uses may be allowed:

- a. Consumer convenience services;
- b. Food sales;
- c. General retail sales (convenience or general);
- d. Restaurant (limited or general) without drive-in service.

C. Compatibility Standards

All VMU structures are subject to the compatibility standards of Chapter 25-2, Article 10. In case of conflict between the compatibility standards and this Subchapter, the compatibility standards shall control.

D. Dimensional and Parking Requirements

1. VMU structures are subject to the height restrictions of the underlying zoning district.
2. Except as provided in Section 4.3.5. below, a VMU building that meets the affordability requirements in subsection E. below is not subject to certain dimensional standards applicable in the base zoning district. These standards include the following:
 - a. Minimum site area requirements;
 - b. Maximum floor area ratio;
 - c. Maximum building coverage;
 - d. Minimum street side yard setback and interior yard setback; and
 - e. Minimum front yard setback; provided, however, that if the right-of-way is less than 60 feet in width, the minimum front yard setback for buildings three or more stories in height shall be 30 feet from the centerline of the street to ensure adequate Fire Department access).
3. For all uses in a VMU building, the minimum off-street parking requirement shall be 60 percent of that prescribed by Appendix A (*Tables of Off-Street Parking and Loading Requirements*). This reduction may not be used in combination with any other parking reduction. Only the parking requirements

for commercial uses are subject to modification through the opt-in/opt-out process in Section 4.3.5.

E. Affordability Requirements

To be eligible for the dimensional standards exemptions in subsection D.2. above, the residential units in a VMU building shall meet the following requirements.

1. Affordability Requirements for Owner-Occupied Units

- a. Five percent of the residential units in the VMU building shall be reserved in perpetuity for ownership and occupancy by residents earning 80 percent of the median family income.
- b. In addition, five percent of the residential units in the VMU building shall be reserved in perpetuity for ownership and occupancy by residents earning 100 percent of the median family income.
- c. The homeowner association fees for the owner-occupied affordable units shall be subsidized by the entire membership of the homeowner association, pursuant to procedures and criteria established by the Director.

2. Affordability Requirements for Rental Units

- a. Ten percent of the residential units in the VMU building shall be reserved for a minimum of 40 years for rental by residents earning 80 percent of the median family income.
- b. As part of the one-time opt-in/opt-out process described in Section 4.3.5. below, a neighborhood association may request that some or all of the affordable rental units be available for renters earning a lower percentage of the median family income, to as low as 60 percent of the median family income. VMU projects that file zoning or site plan applications prior to August 9, 2006, will not be subject to this neighborhood affordability customization; and instead ten percent of the residential units in the VMU building shall be reserved for a minimum of 40 years for rental by residents earning 80 percent of the median family income.
- c. The city may elect to subsidize an additional ten percent of the residential units in the building for

rental purposes for residents at any level of affordability pursuant to criteria and procedures established by the Director.

3. Fee for Upper-Level Nonresidential Space

The developers of VMU buildings that contain non-residential uses above the ground-floor shall pay a fee as set by the City Council for all climate-controlled nonresidential space above the ground floor.

4. Parkland Dedication Fee

VMU buildings not located on greenfield sites that meet the affordability standards of this Section 4.3.3.E. are exempt from the parkland dedication requirements in Chapter 25-4, Article 3, Division 5.

4.3.4. Development Bonuses³⁸

A development that contains at least 100 lineal feet of VMU building frontage along the principal street shall be entitled to the following development bonuses:

- A. The queuing requirements of Chapter 25-6, Appendix A, shall be reduced by 50 percent for each drive-through service in the development, so long as sufficient on-site queuing space exists to ensure queuing does not occur within the public right-of-way.
- B. The number of connectivity options needed to comply with Section 2.3.2. of this Subchapter shall be reduced by two for each 100 lineal feet of VMU buildings.
- C. All buildings in the development may aggregate points for building design in Section 3.3 of this Subchapter, rather than each building needing the minimum number of points.
- D. Impervious cover existing as of the effective date of this Subchapter may be retained for redevelopment purposes for VMU structures no taller than 60 feet and their accompanying structured parking, so long as the redevelopment meets current water quality standards and, for projects in the Drinking Water Protection Zone, the redevelopment incorporates the following measures to provide additional water quality benefits, pursuant to

administrative rules to be developed by the Director of the Watershed Protection and Development Review Department:

1. Rainwater collection and reuse;
2. Pervious pavement;
3. Integrated pest management; and
4. Native and adapted landscaping.

4.3.5. Individual Neighborhood Consideration of VMU Requirements ("Opt-in/Opt-out Process")³⁹

A. Purpose

The purpose of this subsection is to establish a one-time process, which will begin following the adoption of this Subchapter, whereby individual neighborhoods may consider certain development characteristics of VMU buildings within their boundaries and communicate their preferences to the City Council.

B. Procedure

1. Initiation⁴⁰

Upon the adoption date of this Subchapter, the Director shall notify the neighborhood planning team (or neighborhood association if there is no neighborhood planning team) for each neighborhood that the VMU neighborhood consideration process shall be initiated.

2. Application

Each neighborhood planning team or neighborhood association shall review the VMU standards in Section 4.3.3. The planning team or association may, no later than 90 days after receiving written notice from the Director of this Subchapter's adoption, submit an opt-in/opt-out application to the City Manager concerning any of the items listed in subsection C. below.

³⁹ NOTE: This subsection 4. is based on the interim VMU ordinance (correction draft), but has been rewritten for clarity.

⁴⁰ NOTE: Need to discuss the initiation process for areas with no neighborhood plan in place.

3. Planning Commission Recommendation

The City Manager shall forward any opt-in/opt-out applications received to the Planning Commission, which shall review and make recommendations on all such applications to the City Council.

4. City Council Decision

After considering the Planning Commission's recommendations, the Council may, by ordinance within 45 days of the 90-day deadline, approve, approve with conditions, or deny each opt-in/opt-out request.

5. Effect of Approval⁴¹

Following completion of this one-time opt-in/opt-out process, the Director shall amend the neighborhood plan combining districts and the zoning map as necessary to reflect the final decisions of the City Council on all opt-in/opt-out requests. Any subsequent amendments to the VMU standards in a neighborhood shall require amendment of the applicable neighborhood plan and neighborhood plan combining district.

C. Types of Opt-in/Opt-Out Applications

Only the following types of opt-in/opt-out applications may be submitted:

1. VMU Overlay District: Opt-out of Dimensional and Parking Standard Exemptions

- a. A neighborhood with an adopted neighborhood plan and properties in the VMU overlay district may request that the neighborhood "opt out" of any or all of the dimensional and parking standards exemptions in Section 4.3.3.D. above. If such an opt-out application is submitted and approved, the applicable dimensional and/or parking standard exemptions shall not apply to affected VMU buildings within the VMU overlay district within that neighborhood; instead, such buildings shall be required to comply with all

⁴¹ NOTE: Since the NP district is being amended, this is essentially a rezoning. Thus, the statutory notification and hearing requirements for rezonings will apply.

⁴⁵ NOTE: The Task Force recommends reevaluating the list of Future Core Transit Corridors within two years after the adoption date of this Subchapter.

dimensional and/or parking standards applicable to the base zoning district.

- b. If no opt-out application is submitted on a property, or an opt-out application is submitted and denied, the dimensional and parking standard exemptions in Section 4.3.3.D. above shall apply to all VMU buildings on that property.

2. MU-Designated Properties: Opt-in to Dimensional and Parking Standard Exemptions

- a. A neighborhood with an adopted neighborhood plan and properties with the MU zoning designation may request to "opt in" to the dimensional standards exemptions in Section 4.3.3.D. above. If such an opt-in application is submitted and approved, the dimensional standards exemptions shall apply to VMU buildings on sites with the MU zoning designation within the applicable neighborhood boundaries.
- b. If no opt-in application is submitted for a property, or an opt-in application is submitted and denied, VMU buildings on a property designated MU shall comply with all dimensional standards applicable to the base zoning district.

3. Properties Not in VMU Overlay District and without MU Designation: Opt-in to VMU

Any neighborhood that desires to allow VMU buildings within its boundaries on properties that are not otherwise eligible for VMU buildings under this Subchapter may submit an "opt in" application to allow such development. The application shall specify the properties on which the neighborhood wishes to allow VMU buildings, and whether the dimensional standards of Section 4.3.3.D. above should apply.

4. Neighborhoods without a Neighborhood Plan

Neighborhoods without an adopted neighborhood plan may submit recommendations to the City Council during the opt-in/opt-out process regarding their preferred approach to VMU buildings in their neighborhood.

ARTICLE 5: DEFINITIONS

Building Façade Line

A line that is parallel to a lot line or internal circulation route curb line, as applicable, and the same distance from the lot line or curb line as the closest portion of a building.

Civic Buildings

For purposes of this Subchapter, civic buildings shall consist of the following:

- College or University facilities
- Community Recreation (Public)
- Convention Center
- Cultural Services
- Detention Facilities
- Local Utility Services
- Major Utility Services
- Parks and Recreation Services (General)
- Parks and Recreation Services (Special)
- Postal Services
- Public Primary Education Facilities
- Public Secondary Education Facilities
- Safety Services
- Transportation Terminal

Clear Zone

The area dedicated for an unobstructed sidewalk.

Commercial Use

A use that appears in Section 25-2-4, *Commercial Uses Described*, of the Austin Code.

Core Transit Corridors

Core Transit Corridors are the following roadways:

1. South First Street, north of Ben White Boulevard;
2. East Seventh Street, west of Pleasant Valley Road;
3. East Fifth Street from I-35 to Pleasant Valley Road;
4. West Fifth Street;
5. East Sixth Street from I-35 to Pleasant Valley Road;
6. West Sixth Street, between Guadalupe Street and Pressler Street;
7. Thirty-eighth Street, between Mopac Expressway and Speedway Street;
8. Airport Boulevard from Lamar Boulevard to I-35;
9. Anderson Lane, between Burnet Road and Mopac Expressway;
10. Barton Springs Road, east of Robert E. Lee Drive;

11. Burnet Road, between 45th Street and Anderson Lane;
12. South Congress Avenue, north of Stassney Lane;
13. Guadalupe Street;
14. Lamar Boulevard, between Banyon Boulevard and Ben White Boulevard;
15. Martin Luther King, Jr., Boulevard, between Pearl Street and Airport Boulevard;
16. Riverside Drive, west of Pleasant Valley Road.

Core Transit Corridors, Future⁴⁵

For purposes of Section 4.2.2. of this Subchapter, the following roadways are considered "future core transit roadways":

1. South Congress Avenue from Stassney Lane to Slaughter Lane;
2. Slaughter Lane from I-35 to Mopac;
3. Seventh Street from Pleasant Valley Road to 183;
4. Lamar Boulevard from Anderson Lane to Howard Lane;
5. Manor Road from Dean Keaton Street to 183;
6. Airport Boulevard from Manor Road to I-35;
7. Fifty-first Street from Manor Road to Airport Boulevard;
8. Far West Boulevard from Mopac to western side of Chimney Corner;
9. Cameron Road from Fifty-first Street to Highway 183;
10. Mesa Drive from Spicewood Springs to Steck; and
11. Jollyville Road from Great Hills Trail to Highway 183.

Director

The Director of the Neighborhood Planning and Zoning Department, or his or her designee.

Fully-Shielded Light Fixture

A lighting fixture constructed in such a manner that the light source is not visible when viewed from the side and all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the

horizontal as determined by photometric test or certified by the manufacturer. Any structural part of the light fixture providing this shielding must be permanently affixed.

Full Cut-off

A luminaire light distribution where zero candela intensity occurs at or above an angle of 90 above nadir. Additionally, the candela per 1000 lamp lumens does not numerically exceed 100 (10%) at or above a vertical angle of 80 above nadir. This applies to all lateral angles around the luminaire.

Glazing

The panes or sheets of glass or other material made to be set in frames, as in windows or doors.

Greenfield Development

Development on an undeveloped parcel not surrounded by existing development.

Hardscape

Nonliving components of a streetscape or landscape design, such as paved walkways, walls, sculpture, patios, stone and gravel areas, benches, fountains, and similar hard-surface areas and objects.

Highways

All freeways, parkways, expressways, and frontage roads identified in the Austin Area Metropolitan Transportation Plan, except for Core Transit Corridors described in this Subchapter.

Hill Country Roadways

This roadway type applies on all properties within 1000 feet of FM 2222, FM 2244, FM 620, Loop 360 and Southwest Parkway.

Internal Block

One or more lots, tracts, or parcels of land bounded by Internal Circulation Routes, railroads, or subdivision boundary lines.

Internal Circulation Route

Either a public street or a private drive edged by a curb within a development.

LDC

The City of Austin Land Development Code.

Light Fixture

The complete lighting assembly (including the lamp, housing, reflectors, lenses and shields), less the support assembly (pole or mounting bracket); a light fixture.

Liner Store

A commercial use on the ground floor of a building located not more than 30 feet from the street right-of-way with an entrance facing the street.

Maximum Extent Feasible

No feasible and prudent alternative exists, and all possible efforts to comply with the regulation or minimize potential harm or adverse impacts have been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in determining "maximum extent feasible."

Maximum Extent Practicable

Under the circumstances, reasonable efforts have been undertaken to comply with the regulation or requirement, that the costs of compliance clearly outweigh the potential benefits to the public or would unreasonably burden the proposed project, and reasonable steps have been undertaken to minimize any potential harm or adverse impacts resulting from the noncompliance.

Net Frontage Length

Determined by subtracting required Internal Circulation Routes, side or compatibility setbacks, easements, drive aisles, sidewalks, and stairs that occur at the building perimeter from the total property length, as measured along the front lot line from property line to property line. See Figure 53. In the case of a curved corner, the Director may determine the end point for purposes of measuring net frontage.

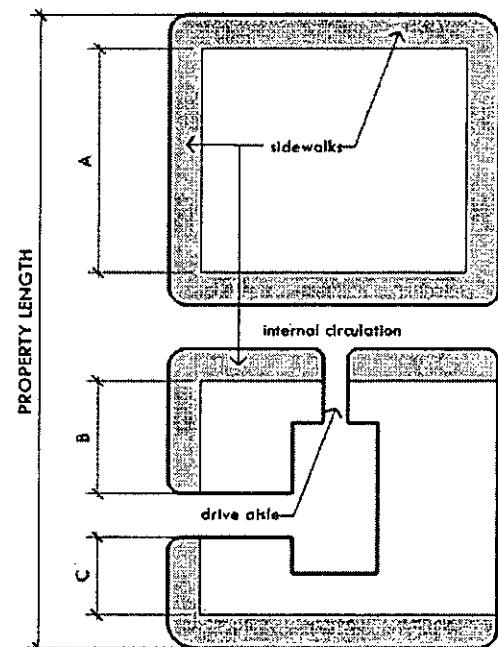


Figure 53: The net frontage length for this property is the total of lengths A, B and C. Required internal circulation routes, drive aisles, and perimeter sidewalks are not included.

Nonresidential Zoning Districts

The following are the City of Austin nonresidential zoning districts for purposes this Subchapter:

- | | |
|--------|--------|
| ▪ NO | ▪ CS |
| ▪ LO | ▪ CS-1 |
| ▪ GO | ▪ CH |
| ▪ CR | ▪ IP |
| ▪ LR | ▪ MI |
| ▪ GR | ▪ LI |
| ▪ W/LO | ▪ R&D |

Pad-Site Building

A building that is intended for a single commercial use and that is physically separate from the other buildings on the site, if any.

Principal Building

A building in which is conducted the principal use of the lot on which it is located.

Principal Entrance

The place of ingress and egress most frequently used by the public.

Principal Street

In this Subchapter, the principal street of a lot or site is the street with the highest priority that is adjacent to the lot or site. Street priorities are as follows, from highest to lowest:

- Core Transit Corridor;
- Internal Circulation Route;
- Urban Roadway;
- Suburban Roadway; and
- Highway or Hill Country Roadway (Unless the higher road runs parallel to the highway and is within 660 feet of the Highway or within 1,000 feet of the Hill Country Roadway (i.e., a highway development would not have to orient to the urban/Suburban Roadway next to a highway).

If a lot is adjacent to more than one street of equally high priority, the principal street is: the street with the highest level of transit service, as determined by the Director; or, if the streets do not have transit service or the level of transit service is equal, the street designated by the lot owner.

Publicly Visible

A site, building, structure, object, or any part thereof, that is visible from a public street or other area to which the public has legal access, from a vantage point of three feet to six feet off the ground.

Shaded Sidewalk

For purposes of this Subchapter, a shaded sidewalk shall be any one of the following:

- A sidewalk at least ten feet wide made of pervious concrete with shade trees at 20-foot intervals, or of standard concrete with the trees planted in tree wells. At least 50 percent of the shade trees must come from the approved list of the Environmental Criteria Manual.
- A five-foot sidewalk adjacent to a landscape strip at least ten feet wide planted with shade trees at 20-foot intervals. At least 50 percent of the shade trees must come from the approved list of the Environmental Criteria Manual.
- A sidewalk at least six feet wide covered with weather-protection materials (such as awnings).

Significant Stand of Trees

Three or more Class 1 or Class 2 tree specimens with a minimum measurement of two-inch Diameter at Breast Height, meeting the standards outlined within Section 3.5.2 of the Environmental Criteria Manual, and a minimum of 150 sq feet of critical root zone preserved.

Street-Facing Facade

A wall of a building that is within 60 degrees of parallel to a street lot line; and is not behind another wall, as determined by measuring perpendicular to the street lot line. The length of a street-facing façade is measured parallel to the street lot line.

Street Tree/Furniture Zone

An area adjacent to the curb in which street trees are planted and street furniture such as benches, bicycle racks, and newspaper boxes are placed.

Suburban Roadways

All roadways that are not Transit, Hill Country, Highway, or Urban Roadways.

Supplemental Zone

An area between the clear zone and the building edge for active public uses such as a plaza, outdoor café or patio.

Trademarked Design Feature

An external design feature, including colors, shapes, and materials, of a building that is trademarked by a building occupant.

Urban Roadways

Urban Roadways are roads located within the following boundaries other than those designated as Core Transit Corridors and Highways:

- 183 from Burnet to Hwy 71
- Hwy 71 from 183 to Loop 1
- Loop 1 from Hwy 71 to Lake Austin
- Lake Austin from Loop 1 to Exposition
- Exposition from Lake Austin to 35th
- 35th from Exposition to Loop 1
- Loop 1 from 38th to RM 2222
- RM2222 from Loop 1 to Mesa
- Mesa from RM 2222 to Spicewood Springs Road
- Spicewood Springs Road from Mesa to 360
- 360 from Spicewood Springs Road to Great Hills Trail
- Great Hills Trail from 360 to 183
- 183 from Great Hills Trail to Braker
- Braker from 183 to Burnet
- Burnet from Braker to 183

Vertical Mixed Use Building

A building that meets the requirements set forth in Section 4.3.of this Subchapter.